

January 2011



M O N T H L Y L A B O R

# REVIEW

U.S. Department of Labor

U.S. Bureau of Labor Statistics

## State labor legislation enacted in 2010





U.S. Department of Labor  
Hilda L. Solis, Secretary

U.S. Bureau of Labor Statistics  
Keith Hall, Commissioner

The *Monthly Labor Review* is published monthly by the Bureau of Labor Statistics of the U.S. Department of Labor. The *Review* welcomes articles on employment and unemployment, compensation and working conditions, the labor force, labor-management relations, productivity and technology, occupational safety and health, demographic trends, and other economic developments.

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## Schedule of Economic News Releases, February 2011

Date	Time	Release
Tuesday, February 01, 2011	10:00 AM	Quarterly Data Series on Business Employment Dynamics for Second Quarter 2010
Wednesday, February 02, 2011	10:00 AM	Metropolitan Area Employment and Unemployment for December 2010
Thursday, February 03, 2011	8:30 AM	Productivity and Costs for Fourth Quarter 2010
Friday, February 04, 2011	8:30 AM	Employment Situation for January 2011
Tuesday, February 08, 2011	10:00 AM	Job Openings and Labor Turnover Survey for December 2010
Tuesday, February 08, 2011	10:00 AM	Major Work Stoppages for 2010
Wednesday, February 09, 2011	10:00 AM	Employment Experience of Youths: Results from a Longitudinal Survey
Friday, February 11, 2011	10:00 AM	Extended Mass Layoffs for Fourth Quarter 2010
Tuesday, February 15, 2011	8:30 AM	U.S. Import and Export Price Indexes for January 2011
Wednesday, February 16, 2011	8:30 AM	Producer Price Index for January 2011
Thursday, February 17, 2011	8:30 AM	Consumer Price Index for January 2011
Thursday, February 17, 2011	8:30 AM	Real Earnings for January 2011
Wednesday, February 23, 2011	10:00 AM	Mass Layoffs for January 2011
Friday, February 25, 2011	10:00 AM	Regional and State Unemployment for 2010

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The tentative schedule to update the BLS Online Calendar is every Friday at approximately 3:30 PM Eastern Time.

# MONTHLY LABOR REVIEW

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January 2011

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Laws concerning equal employment opportunity, immigration, human trafficking, drug and alcohol testing, and independent contractors were among the most active areas of legislation

*John J. Fitzpatrick, Jr., James L. Perine, Bridget Dutton, and Kenneth Floyd*

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### The January Review

2010 appears to have been a busy year in the world of State labor legislation. As the first article this month notes, drug and alcohol testing in the workplace, equal employment opportunity, human trafficking, immigration legislation, independent contractors, time off from work, wages paid, and worker privacy were among the most active areas of legislation enacted during the individual sessions of the State legislatures in 2010. The bills that were introduced and then enacted by the States and the District of Columbia encompass all 34 categories of labor legislation tracked by the Department of Labor's Wage and Hour Division and, according to the authors of the article, include a number of important measures.

Our second article for this issue examines changes in Federal and State unemployment insurance legislation in 2010. There were 6 Federal legislative enactments and one rule that affected the Federal-State unemployment compensation program. The State-by-State overview included in this article indicates that enactments at the State level include provisions on extended benefits, work sharing, tax schedules and taxable wage bases.

Since the 1970s, growth in inflation-adjusted, or "real," hourly compensation has lagged behind labor productivity growth. Our first issue for 2010 concludes with a visual essay by three BLS authors examining the gap between those measures.

### Volunteering in the United States in 2010

In addition to providing information on union membership, the Bureau reported this month on volunteering in the United States. As did the unionization rate discussed earlier, the volunteering rate saw a decline. Nearly 63 million people volunteered through or for an organization at least once between September 2009 and September 2010, leading to a volunteer rate of 26.3 percent, 0.5 percentage point below the year-earlier period.

Volunteers spent a median of 52 hours on volunteer activities during the September 2009–September 2010 period. Median annual hours ranged from a high of 96 for volunteers age 65 and older to a low of 40 hours for people age 16 to 34.

The volunteer rate for women has always exceeded that for men during the time in which the data on volunteering have been gathered. In 2010, a little more than 29 percent of women volunteered, as compared with about 23 percent of men.

The complete report, also based upon the CPS, is available at <http://www.bls.gov/news.release/pdf/volun.pdf>.

### Union members in 2010

Last year the union membership rate was 11.9 percent, according to data from the Current Population Survey (CPS). The rate, which is the percent of wage and salary workers who were members of a union, was down from 12.3 percent in 2009. The number of

workers belonging to unions declined by a little more than 600,000, to 14.7 million.

There were about half a million more union employees in the public sector than in the private sector, and the public sector unionization rate was substantially higher. Private sector industries with high unionization rates included transportation and utilities, telecommunications, and construction. Those with low rates were agriculture and financial activities.

In regard to demographic characteristics, the union membership rate for men was a bit higher than that for women. The gap between the two rates has narrowed considerably over the last couple of decades. Membership rates were higher among older workers and lower among younger workers.

Median usual weekly earnings among full-time wage and salary workers were substantially higher for union members (at \$917) than for those not represented by unions (\$717). In addition to coverage by a collective bargaining agreement, there are a number of reasons that may contribute to the earnings differential.

For a look at the full report on union members in 2010 published by BLS, go to <http://www.bls.gov/news.release/pdf/union2.pdf>. □

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## State labor legislation enacted in 2010

*Drug and alcohol testing, equal employment opportunity, human trafficking, immigration legislation, independent contractors, time off, wages paid, and worker privacy were among the most active areas for lawmakers, who enacted new legislation or implemented legislation that revised State statutes or regulations during the year*

John J. Fitzpatrick, Jr.,  
James L. Perine,  
Bridget Dutton,  
and  
Kenneth Floyd

The areas of drug and alcohol testing in the workplace, equal employment opportunity, human trafficking, immigration legislation, independent contractors, time off from work, wages paid, and worker privacy were among the most active areas of legislation that was enacted during the individual sessions of the State legislatures in 2010. Legislative activity in those areas and in more than 20 additional ones resulted in the enactment of legislation that amended or revised current State statutes or regulations during the course of the year.

This year's report on State labor legislation has been modified from those of the past. First, the timeframe covered by the report has been changed. In the past, the article reported on legislation enacted between December 1 of one year and November 30 of the next year. This year, the report will cover the period between December 1 and September 30. In the future, the report will cover the period between October 1 of one year and September 30 of the next year. Second, although the two-part narrative still exists, it has been supplemented with exhibit 1 at the end of the article. This exhibit is a listing of the bill numbers of the enacted legislation, by labor legislation category tracked by the Wage and Hour Division of the U.S. Department of Labor. Each bill

number is located in a cell that is the intersection of a State (row) and a category of legislation (column). It is hoped that this format will enable readers more easily to perform research on a particular piece of legislation. The exhibit also provides information on the number of pieces of legislation that have been enacted in each category tracked.

During the December 1–September 30, 2010, shortened reporting timeframe, 39 States and the District of Columbia enacted or amended labor legislation of consequence in the various categories tracked by the Wage and Hour Division. Forty-five States and the District of Columbia met in regular legislative session during the year. The remaining 5 states (Montana, Nevada, North Dakota, Oregon, and Texas) did not meet in regularly scheduled legislative sessions, but met instead in special sessions dedicated to various issues of particular interest or immediate necessity.

The bills that were introduced and then enacted by the States and the District of Columbia encompassed all 34 categories of labor legislation tracked by the Wage and Hour Division and included a number of important measures. The 34 categories were agriculture, child labor, State departments of labor, drug and alcohol testing, employee

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discharge, employment agency matters, employee leasing, equal employment opportunity, family leave issues, garment activity, genetic testing, hours of work, human trafficking, immigration legislation, independent-contractor issues, inmate labor, living wages (statewide only, not local), the minimum wage and tipped employees, offsite work, miscellaneous legislation lumped under the category titled “other,” overtime, overtime health care, plant closing and the displacement or replacement of workers, employers’ preferences regarding employees, prevailing wages, right-to-work matters, time off from work, unfair labor practices, wages paid, whistleblowers, worker privacy, workers with disabilities, workplace security, and workplace violence. Not every piece of labor legislation enacted during the course of the year falls into one of these 34 categories. Among the legislative issues that are excluded from the article are those which (1) amend existing State law, but in which the changes are strictly technical in nature, (2) affect only a limited number of individuals, (3) require the undertaking or the distribution of an issue study for a legislature or a Governor, or (4) deal with operational or funding concerns related to a specific issue.

The remainder of this article comprises three sections. The first section provides a brief overview of legislation that was enacted in several of the most active categories. This overview discusses some, but not all, of the pieces of legislation in specific categories that resulted in the enactment of laws, new or amended, by the individual State legislatures during 2010. The second section presents a more comprehensive and detailed description of each piece of a State’s enacted labor-related legislation, again subdivided by labor category. The third and final section is composed of exhibit 1, mentioned earlier, which lists the enacted labor legislation bills by State and legislation category.

## State legislation by category

*Drug and alcohol testing.* The Arizona Racing Commission has now authorized its director to allow anyone whose roles require direct hands-on contact with horses or greyhounds to submit to a drug or alcohol test if the racing stewards have reason to believe that the employee is under the influence of, or unlawfully in possession of, any prohibited substance. Also in Arizona, the State Boxing and Mixed Martial Arts Commission may conduct tests for the use of alcohol and those drugs which have been determined by the commission to impair contestants, notwithstanding any other provision of the law. Delaware enacted legislation that prohibits the State Department of Health

and Social Services from hiring anyone for employment at the State Psychiatric Center without a drug-screening test and a criminal background check. Applicants who willfully fail to comply with the drug and alcohol testing requirements are subject to a civil penalty of \$1,000 to \$5,000. Delaware also enacted legislation requiring drug testing for employees of the State Department of Services for Children, Youth, and Their Families. In Missouri, drug and alcohol testing is now required for employees of contractors and subcontractors as a condition of the contractors’ being permitted to bid on projects to build elementary and secondary education facilities. As a condition of employment as a direct care staff member at a State psychiatric hospital or developmental center, applicants in New Jersey shall consent to and undergo drug testing for controlled dangerous substances. The Tennessee Code Annotated was amended and now requires that all motor carriers in the State which provide passenger transportation service to eight or more individuals shall conduct a program of mandatory random drug testing for the operators of their motor vehicles in accordance with regulations promulgated by the U.S. Department of Transportation. Organizations in Utah that operate a storage or transfer facility that is engaged in the transportation of high-level nuclear waste or the transportation of radioactive waste greater than class C shall establish a mandatory drug and alcohol testing program as a condition for hiring or for the continued employment of any employee. State procurement units in Utah may not enter into a construction contract unless it (1) requires the contractor to maintain a drug and alcohol testing policy that applies to the covered individuals during the construction project, (2) requires the contractor to post a notice to covered individuals that the contractor has a drug and alcohol testing policy, and (3) subjects the covered individuals to random drug and alcohol testing.

*Equal employment opportunity.* It is an unlawful employment practice in California for an employer to bar or discharge a person from employment or from a training program unless doing so is based upon a bona fide occupational qualification. The enacted legislation serves as a statement that allows an employer to legitimately discriminate against an employee on the basis of appropriate parameters. Michigan expanded the prohibitions against job discrimination toward women affected by pregnancy, childbirth, or related medical conditions. New Jersey expanded the State’s antidiscrimination laws to protect autistic people from discrimination in employment. New York issued an executive order banning discrimination

practices in State employment because of gender identity. Oklahoma enacted a new law prohibiting an employer from discriminating against an employee or a prospective employee by refusing to reasonably accommodate the religious observance or practice of the employee unless the employer can demonstrate that the accommodation would pose an undue hardship on the program, enterprise, or business of the employer in certain circumstances described by State law. Oregon enacted a law similar to the one in Oklahoma, but with an additional prohibition against imposing occupational requirements that restrict the right of an employee to wear religious clothing. Tennessee law has been amended to specify that it is not a discriminatory policy for an employer to institute a policy in the workplace requiring that all employees speak only English at certain times when the employer has a legitimate business necessity for such a policy. Included among, but not exhaustive of, such legitimate necessities is the safe and efficient operation of the employer's business. Washington State added a number of categories on the basis of which employment-related discriminatory activities were prohibited in State public schools; previously, race was the only such category. The new categories are creed; religion; color; national origin; honorable discharge from military service; sexual orientation, including gender expression or identity; the presence of any sensory, mental, or physical disability; and the use of a trained guide dog or service animal by a person with a disability. Wisconsin also added to its list of discriminatory actions that employers are prohibited to take in their dealings with employees. Employers in the State are now prohibited from discriminating against an employee who declines to attend an employer-sponsored meeting, or to participate in any communication with the employer or with an agent, representative, or designee of the employer, regarding religious or political matters.

*Human trafficking.* Alabama enacted legislation making it a criminal offense to traffic in humans; knowingly aid, solicit, recruit, transport, restrain, maintain, or otherwise obtain, by any means, another person for purposes of human trafficking; obstruct or attempt to obstruct an investigation into human trafficking; or knowingly benefit from human trafficking. The crime of human trafficking in the first degree is classified as a class A felony. Arizona made it a class 2 felony for a person to (1) knowingly traffic another person with the intent or knowledge that the other person will be subject to forced labor or (2) knowingly benefit from a venture that engages in trafficking for forced labor. Kansas redefined the activity of human

trafficking. The activity is now defined as the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjecting the person to involuntary servitude or forced labor while benefiting financially or by receiving anything of value from participation in a venture that has engaged in coercing employment by obtaining or maintaining services that are performed or provided by another person through any of a group of certain specified trafficking activities. Legislation enacted by Louisiana states that when an individual is involved in the crime of human trafficking, including trafficking of children for sexual purposes, the court shall order that the personal property used by that individual in the commission of the offense be seized and impounded. If the person is convicted, then, after the conviction, the seized property shall be sold at public sale or by auction by the district attorney. It is now illegal in Oklahoma to intentionally destroy, hide, alter, abscond with, or keep documentation from someone for the purpose of trafficking that person within the United States. Any person found guilty of such a crime will face up to 1 year in jail or up to a \$1,000 fine or both. South Carolina amended the State Criminal Code by declaring human trafficking to be one of the most serious offenses prosecuted by the State. Human trafficking will now be considered a violent crime, as well as a class A felony punishable by up to 30 years' imprisonment. Washington State enacted legislation concerning domestic employers of foreign workers (persons who, as temporary visitors, hold nonimmigrant visas). The employers are prohibited from requiring such employees to surrender their legal documents while the person is working in the United States, except as otherwise required by law or regulation.

*Immigration legislation.* Contractors or subcontractors who, pursuant to Georgia law, enter into a contract with a public employer or of a public employer (that is, a subcontract), shall not enter into such a contract or subcontract in connection with the physical performance of services within the State unless the contractor or subcontractor registers and participates in the Federal work authorization program that verifies certain information about all newly hired employees. Hawaiian law now states that any contractor who knowingly or intentionally employs a person who is not eligible to work in the United States under Federal law shall be in violation of State law. Such a violation could lead to the revocation, suspension, or refusal to renew the license of the contractor. Employers in Maine must make a good-faith inquiry, in writing and

before employing or referring a person for employment, as to whether the applicant is a U.S. citizen, an alien lawfully admitted to the United States for permanent residence, or an alien authorized by the appropriate Federal agency to accept employment in the United States. If an employer violates this requirement, then for 2 years the employer may not employ H-2A aliens who have been granted permission to work temporarily within the State. Oklahoma added another exception to those exceptions from the requirement that every State agency or political subdivision of the State verify the lawful presence in the United States of any person who has applied for State or local public benefits. The new exception stipulates that verification is not required if the person in question is applying for a special volunteer health care license. A private employer in Utah who employs 15 or more employees may not hire a new employee unless the private employer is registered with a system that verifies the Federal legal working status of any new employee and uses the system to verify the Federal legal working status of the new employee in accordance with the requirements of the system. Virginia now requires that all agencies of the Commonwealth be enrolled in the Federal E-Verify program and use the program for each newly hired employee who is to perform work within the Commonwealth. West Virginia employers who knowingly violate the State Code by employing, hiring, recruiting, or referring an unauthorized worker are guilty of a misdemeanor. Upon conviction, the employer is subject to a civil penalty ranging from \$100 to \$1,000 and could be sentenced to imprisonment for a period ranging from 30 days to 1 year.

*Independent contractor.* Colorado law now authorizes a nonprofit youth sports organization and a coach to enter into an independent contractor agreement (as opposed to an employer-employee agreement) which provides conclusive evidence that there is no employment relationship between the organization and the coach. New legislation in Connecticut states that each day that an employer knowingly or intentionally misclassifies an employee will constitute a separate offense. Civil money penalties between \$300 and \$1,000 may be assessed for each day the employer is in violation of the statute. Maine now requires that a stop-work order be issued against any hiring agent or subcontractor who misclassifies construction workers. In Nebraska, any individual performing construction labor services for a contractor engaged in a delivery service or for a construction contractor business, including any subcontractor performing services for that contractor or business is presumed to be an employee, and not an independent

contractor, for purposes of the State Employee Classification Act. The Governor of New Hampshire issued an executive order directing State departments that currently enforce employee misclassification laws to coordinate their respective resources in order to identify and investigate cases of misclassification and develop strategies to eliminate misclassification. A new article added to New York's labor law specifies that a contractor must classify a person as an employee unless that person meets certain criteria as enumerated by the amended statute. The Vermont commissioner of labor must issue a stop-work order against an employer when it has been determined that the employer has failed to comply with the State workers' compensation provisions. The order will remain in effect until the employer complies with the insurance requirements. The Wisconsin legislature created a new section for the State's employee classification laws. Employers are now required to maintain records of all of their employees, offer workers' compensation coverage for their employees, and maintain records of (1) hours worked by their employees, (2) wages paid to the employees, and (3) any deductions the employers make from the wages. Wisconsin modified existing statutes regarding the definition of "employer" to now include "a person engaged in the painting or drywall finishing of buildings or other structures."

*Other legislation.* Illinois now mandates that recipients who are awarded a grant, or who are loaned funds, of \$250,000 or more must file written certification that they will comply with business enterprise program practices for minority- and female-owned businesses and for businesses owned by people with disabilities. In New York, all employers or their duly authorized agents shall neither penalize nor threaten an employee relative to his or her employment with any of the following consequences, based in whole or in part on the employee's failure to meet a quota, established by the employer or the agent, of tickets or summonses issued within a specified period for violations of law or for which a ticket or summons is authorized: reassignment, a change in schedule, an adverse evaluation, a constructive dismissal, or the denial of a promotion or of overtime. Rhode Island now allows employees who are placed on extended medical leave to maintain their group hospital, surgical, or medical insurance plan benefits for up to 18 months from the date the employee was placed on extended medical leave.

*Time off from work.* Alabama now grants the same privileges of military leave of absence to public and private employees within the State who are members of the Civil



Air Patrol, the civilian auxiliary of the U.S. Air Force. In addition, Alabama has granted the right to military leave to all officers and employees of the State or of any county, municipality, or other agency or political subdivision thereof, or officers or employees of any public or private business, who are active members of the State National Guard, the Naval Militia, the State Guard, the National Disaster Medical System, or any other Reserve component of the Armed Forces of the United States. Such persons shall be entitled to military leave of absence from their respective civil duties and occupations on all days that they are engaged in field or coastal defense or other training or service ordered under the National Defense Act or the Public Health Security and Bioterrorism Preparedness and Response Act. Arizona now requires that public and private employers treat members of the U.S. Armed Forces Reserve in a manner similar to the way the State treats members of the State National Guard with respect to leaves of absence for military orders. California changed the amount of time an employer may require an employee to work before providing a 30-minute unpaid meal break. Employers must provide the break to employees who work 5 consecutive hours. The break may be waived by mutual consent if the total work period for the day is no more than 6 hours. Private employers in California are now required to permit employees who have exhausted all of their available sick leave to take a leave of absence with pay, not exceeding 30 days for the purpose of organ donation and not exceeding 5 days for a bone marrow donation. The District of Columbia amended its municipal regulations by establishing standards and procedures for processing paid leave to employees for absences associated with illness, domestic violence, and sexual abuse. Maryland amended the State Annotated Code with regard to employee participation in Civil Air Patrol activities. As a result, employers in Maryland may not discriminate against or discharge an employee because of his or her membership in the patrol, as long as the employee has been employed at least 90 days. New York now requires employers to extend funeral or bereavement leave to employees whose same-sex partner or relative thereof has died if the employer extends the same type of leave to employees whose spouse or relative thereof has died. Any employee of the Oklahoma executive branch who is a certified disaster volunteer of the American Red Cross or a member of the U.S. Air Force Auxiliary Civil Air Patrol may be granted a leave with pay not to exceed 15 days in any 12-month period, in order to participate in specialized disaster relief services within the State. Employers in Tennessee may not terminate an employee who

is a volunteer rescue squad worker because the employee is absent from or late to his or her regular employment as a result of having responded to an emergency prior to the time the employee was to report to the place of employment. Washington employers are prohibited from discharging from employment, or from taking disciplinary action against, an employee who is a Civil Air Patrol member because of leave the employee has taken in responding to an emergency service operation.

*Wages paid.* Employers in Colorado shall not deduct any wages from employees unless the employees authorize such deduction and the authorization is revocable. The Illinois Department of Labor has been empowered to establish an administrative procedure to hear claims or specific categories of claims filed with the department for \$3,000 or less per employee under the State Wage Payment and Collection Act. Maryland amended the definition of “wage” to include overtime wages and any other remuneration promised for service. In Nebraska, upon an employee’s written request, the employer must furnish an itemized statement showing the employee’s wages paid and deductions for each pay period that earnings and deductions were made. New Hampshire enacted legislation that allows employers to withhold wages of employees for legal plans and identity theft plans offered by the company, as long as the employer receives no financial gain from the plans. In New Jersey, employers are now permitted to withhold or divert a portion of an employee’s wages for payments of the costs and related fees for the replacement of employee identification tags when such identification is used to allow the employee access to sterile or secured areas of airports. Tennessee now permits employers to pay wages to employees by two additional methods. The wages may be paid by an electronic automated fund transfer in lawful money of the United States or by prepaid debit card issued through a network system from which the employee is able to withdraw or transfer funds subject to certain limitations. Under certain conditions, employers in Vermont may now compensate employees via a credit to a payroll card account that has been directly or indirectly established by the employer in a federally insured depository institution to which electronic fund transfers of the employee’s wages, salary, or other compensation is made on a recurring basis. The Washington Revised Code was amended by an expansion of the list of defined terms in the code and an extension of the time the State is permitted to conduct investigations and calculate back wages and interest owed by the employer to the employee. In addition, the amendments (1) adjusted the tolling

of the statute of limitations for civil actions brought by an employee during an investigation conducted by the State Department of Labor and Industries and (2) delineated successor liability for businesses sold or otherwise conveyed to another.

*Worker privacy.* The working papers and other files contained in an audit of the accounts and performance of a county officer in the State of Arizona are not public records and are exempt from the general State disclosure requirements. California's chief information officer shall require fingerprint images and associated information from an employee, a prospective employee, a contractor, a subcontractor, a volunteer, or a vendor whose duties include, or would include, working at a State data center, or at any State facility, in the field of telecommunications, network operations, engineering, or security, with access to confidential or sensitive information or data on a network of computing infrastructure. In Connecticut, personnel, medical, or similar files concerning a former employee of the State Department of Correction or the State Department of Mental Health and Addiction Services, including, but not limited to, a record of a security investigation of, or a discrimination complaint by or against, such employee shall not be subject to disclosure under the Freedom of Information Act. The public records exemption of the Florida Statutes has been expanded to include certain specified personal information about current and former public defenders and about staff of the privately run Office of Criminal Conflict and Civil Regional Counsel, as well as their spouses and children. Georgia expanded the portion of the State Code Annotated relating to exemptions from requirements for the disclosure of public records,

to provide that certain personal information relating to teachers and other employees of public and nonpublic schools shall be exempt from disclosure. Idaho amended the State Code outlining its four categories of personal information: (1) personnel records, (2) personal information, (3) health records, and (4) professional discipline records. Information falling into any of these categories is exempt from public disclosure. Illinois employers may not base their decision regarding the hiring of an individual on the person's credit history or on a credit report. Also in Illinois, employers or former employers who divulge a disciplinary report about, letter of reprimand to, or any other disciplinary action taken against an employee to a third party must provide written notice to the employee. With certain exceptions in both the types of information and the parties to whom the information may be released, neither the New Mexico Educational Retirement Board nor its employees or contractors shall allow public inspection of any information regarding a member or retired member of the board or the disclosure of that information to anyone. Tennessee no longer allows the discharge of, or other disciplinary action against, State Department of Correction employees solely on the basis of their failing or refusing to take a polygraph examination. The Washington Revised Code now states that any personal information, such as photographs, day and month of birth, residential addresses, and personal telephone numbers, used to locate employees or criminal justice agencies shall be exempt from public disclosure. Wisconsin has made it illegal to solicit or require an HIV test as a condition of employment of any employee or prospective employee. Nor can the employer or prospective employer use the results of an HIV test as a condition of employment.

## Legislation by State

### Alabama

*Human trafficking.* A new section was added to the "Crimes and Offenses" part of the State Code. The section reflects legislation passed to make it a criminal offense to traffic in humans; knowingly aid, solicit, recruit, transport, restrain, maintain, or otherwise obtain, by any

means, another person for purposes of human trafficking; obstruct or attempt to obstruct an investigation into human trafficking; or knowingly benefit from human trafficking. The bill applies to human trafficking for purposes of labor servitude, sexual servitude, or any other involuntary servitude. Human trafficking in the first degree is a class A felony and involves (1) knowingly subjecting someone to labor or sexual servitude through the use of coercion or deception or (2) knowingly obtaining, recruit-

ing, enticing, soliciting, inducing, threatening, isolating, harboring, holding, restraining, transporting, or maintaining any minor for sexual servitude. It is a class C felony for someone to obstruct, attempt to obstruct, or in any way interfere with the enforcement of first-degree human trafficking laws. Human trafficking in the second degree occurs when a person knowingly (1) benefits from participation in human trafficking or (2) recruits, entices, solicits, induces, harbors, transports, restrains, provides,

maintains, subjects, or obtains, by any means, another person for labor or sexual servitude. Such activity is a class B felony. A person who obstructs, attempts to obstruct, or otherwise interferes with the enforcement of second-degree human trafficking laws commits a class A misdemeanor. Mistaking the age of a victim is not a defense against any human trafficking violation. A person convicted of human trafficking in the first or second degree will forfeit any profits, proceeds, or interests in property acquired or maintained as a result of having committed the trafficking. The disgorged assets will be used for restitution purposes for the victim. In addition to pursuing State prosecution, a victim of trafficking may bring a civil action against the perpetrator. The court may award actual, compensatory, or punitive damages, as well as injunctive relief and attorneys' fees and costs. Damage awards will be trebled when the defendant's acts are shown to be willful and malicious.

*Immigration legislation.* The State Sunset Law, part of the State Code, was amended in order to continue the existence and functioning of the State Board of Registration for Foresters. The amended code now requires applicants for licensure as foresters to meet the following additional condition for consideration by the board as minimal satisfactory evidence that the applicant is qualified to practice forestry and to be registered and licensed pursuant to the code within the State: individuals who wish to be licensed by the board must now show satisfactory evidence that they are citizens of the United States or, if they are otherwise legally present in the United States, must present appropriate documentation from the Federal Government.

*Time off.* Legislation was passed that provides the same privileges of military leave of absence to public and private employees within the State who are members of the civilian auxiliary (also known as the Civil Air Patrol) of the U.S. Air Force as those privileges previously provided to members of the State National Guard, the State Naval Militia, the State Guard, the Federal National Disaster Medical System, or any other Reserve component of the Armed Forces of the United States.

All officers and employees of the State or of any county, municipality, or other agency or political subdivision thereof, or officers or employees of any public or private business, who are active members of the State National Guard, Naval Militia, State Guard, National Disaster Medical System, or any other Reserve component of the Armed Forces of the United States shall be entitled to military leave of absence from their respective civil duties and occupations on all days that they

are engaged in field or coastal defense or other training or service ordered under the National Defense Act or the Public Health Security and Bioterrorism Preparedness and Response Act. This leave shall be granted without loss of pay, time, efficiency rating, annual vacation, or sick leave. No person granted a leave of absence with pay shall be paid for more than 168 working hours per calendar year, and those persons shall be entitled to be paid for no more than 168 working hours at any one time while called to duty by the Governor. Service in the State National Guard or State Naval Militia, when the person serving is called, drafted, or ordered into the service of the United States, shall be considered as equivalent service in the State National Guard or State Naval Militia for any and all State purposes regarding privileges, honors, pay allowances, and exemptions provided by law for members of the State National Guard and State Naval Militia.

*Workplace Security.* Pursuant to the State Sunset Law, the State Radiation Control Agency will continue in existence and will function with certain modifications to the State Code regarding applicants for licensure to the agency. The agency shall provide, by rule or regulation, for general or specific licensing of persons to receive, possess, or transfer byproducts, sources, special nuclear materials, and devices or equipment utilizing such materials or any other radioactive materials occurring naturally or produced artificially. Such rule or regulation shall provide for the amendment, suspension, or revocation of licenses and shall require that each applicant for licensure be a citizen of the United States or, if not a citizen of the United States, a person who is legally present in the United States and who has appropriate documentation from the Federal Government.

## Alaska

*Overtime health care.* Health care facilities should provide adequate and safe nurse staffing without the need for or use of mandatory overtime. Accordingly, by law, a nurse in a health care facility may not be required or coerced, directly or indirectly, to work beyond a predetermined and regularly scheduled shift that is agreed to by the nurse and the facility. Further, the nurse may not be forced to accept an overtime assignment if, in the nurse's judgment, the assignment would jeopardize the safety of patients or employees. In addition, after working a predetermined and regularly scheduled shift, a nurse shall be allowed not less than 10 consecutive hours of off-duty time immediately following the end of that shift. The declaration of a temporary nurse staffing emergency in a rural area may negate the rule regarding the prohibitions on overtime and on its restrictions. Notification

requirements are attached to this declaration, including notification to the State legislature. Finally, a health care facility shall provide for an anonymous process by which a patient or a nurse may make a complaint about staffing levels or safety. The health care facility is prohibited from retaliation and may neither file a report with the State Board of Nursing nor discharge, discipline, threaten, discriminate against, or penalize a nurse for filing a good-faith complaint about abuses of overtime.

## Arizona

*Drug and alcohol testing.* The State legislature enacted amendments to the State Revised Statutes as they pertain to the drug policy relating to the State Racing Commission and the State Boxing and Mixed Martial Arts Commission and the authority those agencies have with reference to enforcement. The director of the State Racing Commission is authorized to allow the person whose roles require direct hands-on contact with horses or greyhounds to submit to a drug or alcohol test if the racing stewards have reason to believe that the employee, while on the grounds of a track owner, is under the influence, or unlawfully in possession, of any prohibited substance. These employees include, but are not limited to, jockeys, apprentice jockeys, sulky drivers, grooms, outriders, trainers, exercise or pony riders, starters, jockeys' agents, veterinarians, lead-outs, and paddock employees. The State Boxing and Mixed Martial Arts Commission may conduct tests for the use of alcohol and drugs determined by the commission to impair contestants, notwithstanding any other provision of the law. The commission may immediately suspend the participant, immediately revoke the participant's license, immediately impose a civil penalty not to exceed \$500, or take any combination of these actions against a contestant who either tests positive for alcohol or drugs, or refuses or fails to take a test for alcohol and drugs after a test is requested. All civil penalties assessed shall be deposited in the State General Fund.

*Employee leasing.* Legislation was passed amending the definition section of the State Public Entities and Public Employees law. Leased employees are now included in the definition of "employees," and the legislation defines "leased employee" as "a person providing services to a public entity under a lease agreement and who is not an independent contractor or temporary employee."

*Human trafficking.* Legislation was passed that amends current State human trafficking laws. The new legislation makes it a class 2 felony for a person to knowingly traffic another person or cause a person to be trafficked

for the purpose of engaging in prostitution or sexually explicit performances. Sentences for conviction of trafficking in minors for prostitution or sexual acts must be served consecutively. It is also a class 2 felony (1) to knowingly traffic another person with the intent or knowledge that the other person will be subject to forced labor or (2) to knowingly benefit from a venture that engages in trafficking for forced labor. Convictions for the trafficking of persons for the purpose of prostitution, to perform sexually explicit acts, or for forced labor is a class 2 felony.

*Other legislation.* No person shall be appointed to any office or be employed by the State Department of Corrections who is a contractor for the department or who is interested in, directly or indirectly, any business carried on in connection with the department. Also, an officer or employee shall neither have any monetary interest in any contract or purchase made by anyone for or on behalf of the department nor receive compensation for services, unless approved by the director of the department. Further, no officer or employee of the department, no contractor, and no agency or employee of a contractor, deputy warden, or prison administrator shall make a gift to, or present to or receive a gift from, a prisoner, or shall barter or deal with a prisoner, without written permission of the warden. If an employee is found intoxicated while on duty, that single act of intoxication shall justify the employee's discharge or removal. As amended, State law does not prohibit an officer or employee of the department from maintaining secondary employment in any correctional facility that is not within the person's primary employment or within any institution of higher learning as an adjunct faculty member. Violation by an officer or employee may result in discharge and prohibition from ever serving again as a contractor, agent, or employee of the department.

*Time off.* The State enacted legislation mandating that public and private employers treat members of the U.S. Armed Forces Reserve similarly to members of the State National Guard with respect to leaves of absence for military orders. Leaves of absence for military duty may not affect vacation rights or adversely affect the employee's seniority. Employees of the State and its subdivisions are entitled to leave for military duty without loss of time or efficiency rating. Moreover, the employee will receive his or her regular pay for time spent on duty for leaves not exceeding 30 days in 2 consecutive years.

*Worker privacy.* The State Revised Statutes were amended to specify that the working papers and other audit files in an examination

or audit of the accounts and performance of a county officer are not public records and are exempt from the general State disclosure requirements. The information contained in the working papers and audit files prepared pursuant to a specific examination or audit is not subject to disclosure, except to the county attorney and the attorney general in connection with an investigation or action taken in the course of their official duties.

It is unlawful for a person to disseminate information that is disclosed in an appeal of a disciplinary action by a law enforcement or probation officer to any person other than the parties to the appeal process and their lawful representatives. All data and reports from a polygraph examination of a law enforcement or probation officer are confidential and may be used only for purposes of employment, certification, or reactivation of certification with reference to the administrative matter for which the polygraph was administered. All other uses are prohibited. Except for a preemployment polygraph taken by an applicant who was not hired, or in the case of an active investigation or an appeal, the data from, and reports pertaining to, a polygraph shall be destroyed as soon as practicable 3 years after the date of appointment or employment of the employee who took the polygraph, but not more than 90 days after that date.

The State legislature passed a bill that added a new section to the State Revised Statutes. The new legislation restricts the posting of dismissed or nondisciplinary actions against regulated professionals from the interested regulatory board's Web site. If, however, the board issues an advisory letter or a letter of concern, or imposes a practice limitation, the action in question may be posted on the board's Web site. The legislation also requires that if a regulatory board maintains a Web site, the board must display on the site a statement indicating that a person may obtain additional public records related to any licensee or certificate holder by contacting the board directly.

*Workers with disabilities.* Legislation was passed that amends the State's antidiscrimination labor statutes. Changes to the law include additional phrases in the definition sections, sections limiting accommodations, and sections interpreting "disability" and "substantially limits." According to the bill, "auxiliary aids and services" include (1) qualified interpreters or other effective methods of making aurally delivered materials available to individuals with hearing impairments; (2) qualified readers, taped texts, or other effective methods of making visually delivered materials available to individuals with visual impairments; and (3) the acquisition or modification of equipment or devices. In the same vein, "being regarded as having such a physical or mental impairment"

means "an individual who establishes that she or he has been subjected to an action prohibited under statute because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity." This definition does not countenance an impairment that is transitory and minor. The legislation defines "major life activities" to include (1) caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working; and (2) the operation of major bodily functions, such as functions of the immune system and normal cell growth, as well as digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. The new legislation mandates that the interpretation of "disability" exercise the broadest coverage permitted by the legislation, while "substantially limits" must be interpreted in a manner consistent with the Americans with Disabilities Amendments Act of 2008. The bill made it unlawful for an employer, a labor organization, or a joint labor-management committee to discriminate on the basis of disability. In addition, an employer cannot fail or refuse to hire an individual, or discharge, limit, segregate, or classify an individual in any way that deprives or tends to deprive the individual of an employment opportunity or that adversely affects the individual in respect of an employment opportunity, on the basis of a disability. It is now an unlawful employment practice for a labor organization to exclude, expel from its membership, or otherwise discriminate against an individual on the basis of a disability. It is also unlawful for an employer, labor organization, or labor-management committee to participate in any contractual or other arrangement wherein a qualified individual is discriminated against on the basis of a disability.

## California

*Agriculture.* An amendment to the State Health and Safety Code modified the definition of the term "agricultural employee" to include the definition given in the code. In addition, the definition now includes "any person who works on or off the farm in the processing of any agricultural commodity until it is shipped for distribution, whether or not this person is encompassed within the definition specified in the State Labor Code."

*Equal employment opportunity.* Legislation was enacted that amended the State Code, making it an unlawful employment practice for an employer to bar or discharge a person from employment or from a training program, unless the action is based on a bona fide occupational qualification. The legislation serves as a state-

ment that provides an employer with the right to legitimately discriminate against an employee on the basis of appropriate factors. An employer may refuse to hire or may discharge an employee who, because of the employee's medical condition, is unable to perform his or her essential duties, even with reasonable accommodations, or is unable to perform those duties in a manner that would not endanger the employee's health or safety or the health or safety of others. An employer also may refuse to employ an individual because of the individual's age if the law compels or provides for that refusal. Promotions within the existing staff, hiring or promotion on the basis of experience and training, rehiring on the basis of seniority and prior service with the employer, and hiring under an established recruiting program from high schools, colleges, universities, or trade schools do not, in and of themselves, constitute unlawful employment practices.

*Human trafficking.* The portion of the State Penal Code related to human trafficking was amended to state that, "upon conviction of a violation of certain sections of the State Penal Code, if real property is used to facilitate the commission of the offense, the procedures for determining whether the property constitutes a nuisance and the remedies imposed therefore as provided in Article 2 of Chapter 3 of Title 1 of Part 4 shall apply."

*Other legislation.* The State legislature passed a bill requiring persons 18 years and older who provide childcare or childcare supervision in an ancillary daycare center to register with the State TrustLine Registry. If the State Department of Social Services denies an individual's application or revokes the individual's registration, then that individual automatically becomes ineligible for employment in a position providing childcare or childcare supervision. The submission of a TrustLine Registry application by a current or prospective subject registrant enables the individual to be deemed in compliance with the State law and to begin employment in the daycare center. If the application is denied, then the individual shall become ineligible for employment as a provider of childcare or childcare supervision in an ancillary daycare center. This requirement does not apply to similarly situated persons 18 years and younger.

*Time off.* The State legislature passed legislation specifying the amount of time an employer may require an employee to work before providing a 30-minute unpaid meal break. Employers must now provide employees who work 5 consecutive hours with an unpaid 30-minute meal break. The break may be waived by mutual consent if the total work period for the

day is no more than 6 hours. If an employee works 10 hours in a workday, the employer must provide a second unpaid meal period, unless the total work period will not exceed 12 hours, in which case the parties may mutually agree to waive the second break if the first was not waived. Persons working in those areas of the motion picture or broadcasting industry in which a valid collective bargaining agreement provides for meal breaks and monetary remedies for missed meal periods are exempt from this legislation. Similarly, employees in a construction occupation, commercial drivers, registered security officers, and employees of a gas or electrical corporation or public utility are exempt from this requirement, as long as they are covered under a valid collective bargaining agreement that expressly (1) sets the wages, hours of work, and working conditions of the employees and (2) provides for meal periods, final and binding arbitration of meal period disputes, and certain premium wages for overtime for the employees.

The State Labor Code was amended with respect to employee leave and benefits. Private employers are now required to permit employees who have exhausted all available sick leave to take a leave of absence with pay, not exceeding 30 days for the purpose of organ donation and not exceeding 5 days for bone marrow donation. Employers must restore employees returning from leave for organ or bone marrow donation to the same position they held when the leave began or to an equivalent position. Employers may not interfere with, and shall not retaliate against, employees for taking such leave. An employee may bring a civil action in the superior court of the appropriate county in pursuit of enforcement of the State Code.

*Whistleblower.* Current law under the State Whistleblower Protection Act authorizes a California State University employee or applicant for employment to have an available action for damages caused by intentional acts of reprisal, retaliation, threats, or coercion. The legislatively revised statute now authorizes an available action for damages or other legal remedies arising on or after January 1, 2011, for a University of California employee or applicant for employment under the same procedure as that applicable to California State University employees. A California State University employee, including an officer or faculty member, or an applicant for employment may file a written complaint with his or her supervisor or manager, or with any other university officer, alleging actual or attempted acts of reprisal, retaliation, threats, or coercion, or similar improper acts, for having disclosed protected information. The complaint, together with a sworn statement asserting that the contents of the complaint are true or are believed by the affiant to be true, under

penalty of perjury, must be filed within 12 months of the most recent act of reprisal. Any person who intentionally engages in acts recognized by this legislation to be against the individual who makes the report is subject to a fine not to exceed \$10,000 and imprisonment in the county jail for a period of up to 1 year. Any university employee who intentionally engages in this conduct shall also be subject to discipline by the university and liable for any punitive damages that may be awarded, including reasonable attorneys' fees as provided by law. Nothing in the legislation precludes the rights or remedies of any employee under any other Federal or State law or under any employment contract or collective bargaining agreement.

A provision on privacy and a definitional section were added to the State whistleblower statute. An auditor or controller in charge of a fraud, waste, or abuse investigation may now submit a substantiated copy of the audit report with the name(s) of the employee(s) being investigated to the appropriate authority for disciplinary action. The report, however, is still subject to confidentiality requirements specified in local, State, and Federal statutes. In addition, the phrase "fraud, waste, and abuse" is defined by the statute as "any improper activity by a local agency or employee that is undertaken in the performance of the employee's duties. Such activity includes any deemed to be outside the scope of his or her employment, [and] which [is] in violation of any local, State, or Federal law or regulation relating to corruption, malfeasance, bribery, theft of government property, fraudulent claims, fraud, coercion, conversion, malicious prosecution, misuse of government property, or willful omission to perform a duty, or is economically wasteful, or involves gross misconduct."

The State Whistleblower Protection Act was amended to include within the definition of "employee," for purposes of the act, a person employed by the State Supreme Court, a court of appeals, a superior court, or the court administrative office. Employees of, or applicants for employment with, these judicial entities who file a written complaint alleging actual or attempted acts of reprisal or retaliation, or similar prohibited acts, for having made a protected disclosure may also file a copy of the written complaint with the State Personnel Board, together with a sworn statement, under penalty of perjury, that the written complaint is true. The law requires the State auditor to investigate and report on improper governmental activities. Any person, except those immune from liability because they are subject to other jurisdictions, who intentionally engages in acts of reprisal or retaliation, or similar prohibited acts, against a State employee or an applicant for State employment

for having made a protected disclosure, is subject to punishment for a misdemeanor and shall be liable in an action for civil damages brought by the injured party.

*Worker privacy.* The State Public Records Act requires State and local agencies to make their records available for public inspection and, upon payment of a fee, to make copies available upon request, unless the records are exempt from disclosure. The amended State Education Code asserts that the State Interscholastic Federation, a voluntary organization that consists of school and school-related personnel with the responsibility for administering interscholastic athletic activities in secondary schools, is now covered by the protection of the State Public Records Act and that the organization's records are afforded the same public records disclosure exemptions as are provided to school districts. This courtesy is necessary because the federation receives personal information about students and school personnel and the exemption afforded it by the amended code protects the confidentiality of the records and information of said students and school personnel.

Current law prohibits the disclosure of the home addresses of certain public employees and officials that appear in any records of the State Department of Motor Vehicles, except to a court, a law enforcement agency, an attorney in a civil or criminal action, and certain other official entities. This prohibition includes the home addresses of the spouses and children of those specified public employees and officials and of the surviving spouses and children of peace officers who died in the line of duty. Amending legislation now permits the disclosure of the home addresses of those spouses, surviving spouses, or children if they were convicted of a crime and are on active parole or probation. Also, the person requesting confidentiality for a spouse or child is required to declare, at the time the request is made, whether the spouse or child has been convicted of a crime and is on active parole or probation. Neither the State Department of Motor Vehicles nor the listed individual's employer is required to verify or be responsible for verifying that the person was convicted of a crime and is on active parole or probation. Following the person's termination of office or employment, a confidential home address shall be withheld from public inspection for 3 years, unless the termination is the result of a conviction for a criminal offense. Confidentiality shall be maintained while the individual is filing an appeal to bar termination and is ongoing. Once the appeal process has exhausted confidentiality and the termination is upheld, disclosure shall be at the discretion of the employing agency.

The State's chief information officer shall

require fingerprint images and associated information from an employee, a prospective employee, a contractor, a subcontractor, a volunteer, or a vendor whose duties include, or would include, working at a State data center, or at any State facility, in the field of telecommunications, or in network operations, engineering, or security and who has access to confidential or sensitive information or data on a network of computing infrastructure. The fingerprint images and associated information shall be furnished to the U.S. Department of Justice for the purpose of obtaining information about the existence and nature of a record of a person's (1) State or Federal convictions; (2) having been convicted of, or having pleaded no contest to, a crime or having committed an act involving dishonesty, fraud, or deceit if the crime or act is substantially related to the qualifications, functions, or duties of a person employed by the State; or (3) convictions or arrests for which the person is free on bail or on his or her own recognizance pending trial or appeal, especially if there is a reasonable expectation that there is a connection to the information or data to which the employee shall have access. If an individual is rejected for employment on the basis of information contained in a response from the U.S. Department of Justice or Federal Bureau of Investigation, the individual shall receive a copy of the response from the State chief information officer. The latter shall develop a written appeal process for an individual who is determined ineligible for employment because of his or her record as a criminal offender, filed with the aforementioned agencies, and the individual may not be found ineligible for employment until the appeal process is in place. Finally, when considering background information, the State chief information officer shall take into account any evidence of rehabilitation, including participation in treatment programs, as well as the age and specifics of the offense.

## Colorado

*State department of labor.* The State Pay Equity Commission was created by legislation and is located in the office of the executive director of the State Department of Labor and Employment. The commission's work includes (1) educating employers in the State about issues or practices that may contribute to pay inequities, (2) working with business groups and educational institutions to develop and maintain an inventory of best practices for encouraging equal pay, (3) encouraging employers to implement equal-pay best practices, (4) studying other State models of equal-pay practices that achieve pay equity, (5) developing a program recognizing employers who pursue pay equity practices, (6) conducting outreach and education to employers and employees regarding pay equity, and (7) working to establish the

State as a model employer with regard to pay equity.

*Independent contractor.* Legislation was enacted that authorizes a nonprofit youth sports organization and a coach to enter into an independent contractor agreement (as opposed to an employer-employee agreement) which provides conclusive evidence that there is no employment relationship between the organization and the coach. The legislation allows the agreement to obligate the coach to pay Federal and State income taxes on any compensation that the coach receives for his or her services. In addition, the agreement may be written so that the coach is not entitled to workers' compensation benefits in connection with his or her duties as a coach.

*Wages paid.* New legislation specifies that, with certain exceptions, no employer shall make a deduction from the wages or compensation of an employee unless that deduction is authorized by the employee and is revocable. The authorization for this legislation includes deductions for hospitalization and medical insurance, other insurance, savings plans, purchases of stock, supplemental retirement plans, charities, and deposits to financial institutions. Deductions for contributions that will apply toward automatic enrollment in an employee retirement plan shall be permitted, regardless of whether the plan is subject to the provisions of the Federal Employee Retirement Income Security Act of 1974 as amended. Any employer that provides automatic enrollment in an employee retirement plan is not liable for having made investment decisions on behalf of any participating employee with respect to the default investment of contributions made for that employee if (1) the plan provides the participating employee at least quarterly opportunities to select investments for the employee's contributions among investment alternatives under the plan, (2) the participating employee is given (a) notice of investment decisions that will be made in the absence of direction from the employee, (b) a description of all the investment alternatives available for employees under the plan, and (c) a brief description of procedures available for the employee to change investments, and (3) the participating employee is given at least annual notice of the actual default investment decisions made regarding contributions attributable to the employee. The relief from liability of the employer extends to any employee retirement plan official who makes the actual default investment decisions on behalf of the employee.

## Connecticut

*Independent contractor.* The State General

Assembly enacted legislation that updated the State's employee classification laws. The bill stipulates that each day in which an employer knowingly or intentionally misclassifies an employee will constitute a separate offense. The legislation, which affects several statutes, imposes civil monetary penalties ranging from \$300 a day to \$1,000 a day for each day the employer is in violation of the statute. The legislation also adds the State to the class of organizations that employers cannot intentionally injure, defraud, or deceive because of failure to pay workers' compensation assessments.

*Worker privacy.* Personnel, medical, or similar types of files concerning a current or former employee of the State Department of Correction or the State Department of Mental Health and Addiction Services, including, but not limited to, a record of a security investigation of, or a discrimination complaint by or against, such employee shall not be subject to disclosure under the Freedom of Information Act. Such disclosure is prohibited to any individual committed to the custody or supervision of the commissioner of correction or confined in a facility of the Whiting Forensic Division of the State Valley Hospital.

## Delaware

*Discharge.* Periodically, emergencies arise that prohibit driving on State highways, express highways, roadways, and private roads. During these emergencies, the use or operation of motor vehicles is restricted in accordance with a State protocol. In new legislation, a Level 2 Driving Restriction means that no persons, except those deemed to be essential personnel, shall operate a motor vehicle on State roadways when the ban has been activated. All businesses, professional offices, organizations, and other entities shall be encouraged to take appropriate actions to protect their citizens, customers, and employees by terminating operations, or establishing a shelter in place to which those citizens, customers, and employees can go, during an emergency. An employer of a public or private entity shall not terminate, reprimand, discipline, or in any way commit any adverse employment action against an employee who, as a result of the action of a State-mandated driving ban, fails or refuses to report to work during the pendency of the ban. When a Level 1 Driving Warning has been activated, any person operating a motor vehicle shall exercise extra caution in the operation of that vehicle. Nonessential employees, regardless of whether they are employed by a public or private entity, are encouraged not to operate a motor vehicle on the State's roadways, unless there is a significant safety, health, or business reason for doing so.

*Drug and alcohol testing.* The State General Assembly passed legislation that adds a new section to employment laws governing employees of, and applicants for employment at, the State Psychiatric Center. The State Department of Health and Social Services cannot hire anyone without completing a criminal background check and drug screening on that person. The department shall promulgate a list of disqualifying criminal convictions, but the State General Assembly mandates only that certain controlled substances be tested for. Whenever circumstances dictate, the department may conditionally hire an applicant pending the results of the criminal background investigation and/or drug screening. Upon notification of a conviction, the department must immediately terminate the employment of any center employee who has been convicted of a disqualifying crime; however, if a drug screening indicates that the applicant or employee has consumed some illegal drug or drugs, the department may impose sanctions, including suspension or termination. Any individual who fails to make a full and complete disclosure of any information required to obtain a criminal history record shall be subject to a civil penalty between \$1,000 and \$5,000. Any applicant who willfully fails to comply with the drug-screening requirements shall be subject to a civil penalty between \$1,000 and \$5,000.

The State enacted legislation relating to drug testing of employees of the State Department of Services for Children, Youth, and Their Families. The department is authorized and required to conduct drug testing, in accordance with its policies and regulations, of any employee or prospective employee who has accepted or is accepting a safety, security-sensitive, or childcare position. The following drug testing shall be required: (1) preemployment testing, (2) random testing, and (3) testing on grounds of reasonable suspicion. The department shall adopt policies and procedures for imposing sanctions, which may include referral to the State's Employee Assistance Program, suspension, or termination, upon any employee in a safety, security-sensitive, or childcare position who willfully refuses to submit to random testing or to testing on grounds of reasonable suspicion or whose drug screen indicates that such person has illegally used or consumed a drug or drugs.

## District of Columbia

*Time off.* In newly proposed rules for implementing the Accrued Sick and Safe Leave Act of 2008, the District Council passed legislation that adds a new Chapter 32 to Title 7 of the District Municipal Regulations. The new rules establish standards and procedures

for processing paid leave to employees for absences associated with illnesses, domestic violence, and sexual abuse. The Council shall transmit a copy of this resolution, upon its adoption, to the mayor, the director of the Department of Employment Services, and the administrator of the District Office of Documents and Administrative Issuances.

*Whistleblower.* The District Council amended the District Comprehensive Merit Personnel Act of 1978 by enacting the Whistleblower Protection Amendment Act of 2009. As specified in the latter, a supervisor shall not take, or threaten to take, a prohibited personnel action or otherwise retaliate against an employee because of the employee's protected disclosure or because of the employee's refusal to comply with an illegal order. Except in cases where the communication would be unlawful, a person shall not interfere with or deny the right of employees, individually or collectively, to furnish information to the council, a council committee, or a council member. An employee who is aggrieved by a violation of this act may bring a civil action against the District before a court or jury in the Superior Court of the District. If a protected disclosure by a District employee assists in securing the right to recover, the actual recovery of, or the prevention of loss of more than \$100,000 in public funds, the mayor may pay a reward in any amount between \$5,000 and \$50,000 to the person who made the disclosure.

## Florida

*Agriculture.* Legislation was passed that amends several statutes related to farm labor contractors and their employees. The "timely application for renewal" is now defined as the time that the application for a Federal certificate of registration as a farm labor contractor or a farm labor contractor employee is filed, as defined by Federal law, with the U.S. Department of Labor at least 30 days prior to the expiration date of the holder's current certificate. This legislation requires the State Department of Business and Professional Regulation to renew a certificate of registration after the person's Federal certificate of registration expires if the person files a timely application for renewal with the U.S. Department of Labor. In addition, the department must suspend, revoke, or refuse to issue or renew a certificate of registration upon receipt from the U.S. Department of Labor of a final order of suspension, revocation, or refusal to issue or renew the Federal certificate of registration.

*Employee leasing.* A person seeking to purchase or acquire control of an employee leasing company must first apply to the State Board of Employee Leasing Companies for a

certificate of approval for the proposed change of ownership. Prior approval is not required if, at the time the purchase or acquisition occurs, a controlling person of the employee leasing company maintains a controlling person license. Notification of the license must be provided to the board within 30 days after the purchase or acquisition. An application that is submitted to the board is deemed approved if the board has neither approved nor rejected the application (with appropriate notification to the applicant of the reason for the rejection) within 90 days after receipt of the completed application. Failure to renew the license at the due time of renewal and pay the appropriate fee shall result in the license becoming delinquent, with the licensee having 30 days after the due renewal date in which to renew the license and pay a late fee not to exceed \$300. If payment is not received within 30 days, the licensee is subject to disciplinary action under State statutes.

*Worker privacy.* Within the State Statutes, the public records exemption has been expanded to include specified personal information about current and former public defenders and about staff of the privately run office of Criminal Conflict and Civil Regional Counsel, as well as their spouses and children. Among the categories of excluded personal information are (1) home addresses, (2) telephone numbers, (3) Social Security numbers, and (4) photographs of active or former law enforcement personnel; (5) places of employment of the spouses and children of such personnel; and (6) schools and daycare facilities attended by the students of such personnel. An agency that is the custodian of the aforementioned information and that is not the employer of the public official shall maintain the exempt status of the information if the designated employee submits a written request for maintenance of the exempted information. The legislature deems it a public necessity not to disclose the personal information of these officials, in order to prevent them and their families from becoming targets of acts of violence.

## Georgia

*Immigration legislation.* No contractor or subcontractor who, pursuant to State law, enters into a contract with a public employer or of a public employer (that is, a subcontract) shall enter into such a contract or subcontract in connection with the physical performance of services within the State unless the contractor or subcontractor registers and participates in the Federal work authorization program that verifies certain information about all newly hired employees. Any employee shall also be required to satisfy the foregoing requirements.

Upon contracting with a new subcontractor, a contractor or subcontractor shall, as a condition of any contract or subcontract it enters into, provide a public employer with notice of the identity of any and all subsequent subcontractors hired or contracted by that contractor or subcontractor. Such notice shall be provided within 5 business days of entering into a contract or agreement for hire with any subcontractor. Any person who knowingly and willfully makes a false, fictitious, or fraudulent statement in an affidavit submitted pursuant to this State requirement shall, upon conviction, be punished as specified under State Code and shall be prohibited from bidding on or entering into any public contract for 12 months following such conviction.

*Worker privacy.* The State Official Code Annotated relating to exemptions to requirements for the disclosure of public records was amended to provide that certain personal information relating to teachers and employees of public and nonpublic schools shall be exempt from disclosure. Public disclosure shall not be required for records that reveal the home address, the home telephone number, the email address, or the Social Security number of, or insurance or medical information about, employees or teachers of the school.

## Hawaii

*Immigration legislation.* The State legislature enacted provisions concerning the revocation, suspension, and renewal of licenses of State contractors by the State Contractors License Board. The board may revoke, suspend, or refuse to renew the license of any contractor who violates certain requirements of State law. Two of the reasons listed for refusing to renew a license are dishonesty and fraudulent or deceitful acts as a contractor that cause substantial damage to another or that cause the abandonment of any construction project or operation without a reasonable or legal excuse. In addition, any contractor who knowingly or intentionally employs a person who is not eligible to work in the United States under Federal law shall be in violation of this statute. Another issue warranting disciplinary license action is a contractor's failure to secure or maintain workers' compensation insurance, unless the licensee is authorized to act as a self-insurer under State law.

*Offsite work.* The State legislature created the State Broadband Task Force to provide recommendations on how to advance the capabilities and use of broadband communications in the islands. The purpose for expanded broadband communications is to ensure access by all households, businesses, and organizations in the State by 2012. The responsibilities of the

director of the task force and, in time, the State Department of Commerce and Consumer Affairs, are, among others, to promote and encourage the use of telework alternatives for public and private employees, including the promulgation of appropriate policy and legislative initiatives; to advise and assist State agencies; and, upon request from the counties, to help with planning, developing, and administering programs, projects, plans, policies, and other activities that promote telecommuting by employees of State and county agencies.

*Workplace violence.* The State Senate adopted a resolution urging the State Department of Labor and Industrial Relations to adopt rules to prohibit abusive work environments. The department also was urged to develop and disseminate, at no cost to the employers, information on abusive work environments and the legal consequences that employees or employers encounter if they contribute to the creation or perpetuation of such environments.

## Idaho

*Worker privacy.* The State Code was amended to clarify the four categories of personal information—personnel records, personal information, health records, and professional discipline records—that are exempt from public disclosure. All personnel records of a current or former public official other than the official's public service or employment history, classification, pay grade and step, longevity, gross salary and salary history, status, workplace, and employing agency are now public. No other personnel information relating to a public employee or an applicant for public employment, including information regarding sex, race, marital status, birth date, home address and telephone number, applications for hiring or promotion, testing and scoring materials, grievances, correspondence, and the employee's or applicant's performance evaluation, shall be disclosed to the public without the employee's or applicant's written consent. The disclosure of names as part of a background check is permitted, as is the disclosure of the names of the five finalists among the applicants for any public position. If the list of finalists contains fewer than five finalists' names, then the entire list of applicants may be made available. The disclosure of anyone's residential street address and telephone number is prohibited. Also, the disclosure of records of the State Department of Health and Welfare or a public health district that identify a person infected with a reportable disease is prohibited. Law enforcement officers who desire that their residential street address and telephone number, as well as those of their household members, be exempt from disclosure may submit an application (and the



applicable fee) to the custodian of the public record who contains such information, and the public agency shall comply for a period of 4 years. An individual who ceases to be a law enforcement officer, or a household member of such individual, ceases to be eligible for the exemption and must notify, in writing and within 30 days of such cessation, every public agency to which the individual has submitted an application for exemption from disclosure, informing those agencies that he or she is no longer eligible for such exemption.

## Illinois

*Child labor.* The State General Assembly passed legislation related to the in-state employment of minors from other States. When an out-of-state minor seeks an in-state employment certificate, the State Department of Labor shall work with a city or regional superintendent of schools or the State superintendent of schools, or with either of their duly appointed representatives, to issue the certificate. The State superintendent of schools may waive the requirement that a minor applicant for an employment certificate submit the application in person if the minor resides in another State.

*Employee leasing.* The State Day and Temporary Labor Services Act was amended to clarify wage payment issues relating to leased employees. A third-party client is now required to pay wages and related payroll taxes to a temporary labor service agency for services performed by the laborer according to payment terms outlined on invoices or service agreements or by the service agency. Violations deemed to be willful may result in revocation of the temporary labor service agency's registration if the agency is found guilty, and the agency may be subject to a civil penalty not to exceed \$6,000 for violations found by a first audit. Following the first audit, the agency or its third-party client shall be subject to a civil penalty not to exceed \$2,500 for each repeat violation within 3 years. A complaint of a violation filed by a licensed day and temporary labor agency shall be reviewed to check payroll and accounting records to determine whether wages and payroll taxes have been paid to the agency and to verify that the day and temporary laborers have been paid the wages owed them.

*Family leave.* The Family Military Leave Act was amended to include the child or grandparent of a person called to military service that will last longer than 30 days with the State or the United States as one who might request leave from his or her employer. Any employer that employs between 15 and 50 employees shall provide up to 15 days of

unpaid family military leave to an employee during the time Federal or State deployment orders are in effect. Any employer that employs more than 50 employees shall provide up to 30 days of unpaid leave. The number of days of leave provided to an employee shall be reduced by the number of days of leave provided to the employee because of any qualifying emergency arising out of the fact that the service member has been notified of an impending call or order for service in the Armed Forces.

*Human trafficking.* The State's Abused and Neglected Child Reporting Act was amended to include expanded definitions of categories of abuse. Among the categories now included are the offenses of involuntary servitude, involuntary sexual servitude of a minor, and trafficking in persons for forced labor or services against a child under the State Criminal Code of 1961. This definition presupposes that allowing, encouraging, or requiring a minor—especially a minor under 18 years—to commit any act of prostitution is proof that the parent, custodian, or guardian of the minor is aware that the act involves money, property, a token, an object or article, or anything of value. Such evidence will constitute prima facie evidence of abuse and neglect. If, after a reasonable investigation, the person suspected of or charged with prostitution is a person under 18 years, that person shall be immune from prosecution and shall be subject to temporary protective custody. This allegation of such activity by a person under 18 years shall trigger an initial investigation into child abuse or child neglect within 24 hours.

*Other legislation.* The State General Assembly passed legislation mandating that recipients who are awarded a grant or loaned funds of \$250,000 or more file written certification that they will comply with business enterprise program practices for minority- and female-owned businesses, as well as for businesses owned by persons with disabilities. The recipient must also agree, in writing, to comply with the equal employment practices section of the State's Human Rights Act. A grant or loan recipient may petition for the funds granted or lent to be exempt, at least partially, from these requirements. The petition should be based on the best available information that the number of businesses owned by minorities, females, and persons with disabilities is insufficient to ensure (1) adequate competition and (2) an expectation of reasonable prices on bids or proposals solicited for the prospective individual contract or contract package. Each State chief procurement officer must maintain, on his or her official Web site, a list of these waivers granted with respect to

contracts granted under that procurement officer's authority. This bill does not apply to any grant or loan (1) executed before the bill is enacted, (2) for which previous incurred costs are being reimbursed, or (3) for a federally funded program for which the requirement would break Federal law.

*Wages paid.* Legislation passed by the State General Assembly amended the State Criminal Procedure Code with respect to violations of wage payments under the State Wage Payment and Collection Act. The State Department of Labor is now empowered to establish an administrative procedure to hear claims or specific categories of claims filed with the department for \$3,000 or less per employee; the State director of labor or his or her representative may create rules necessary to establish this procedure. Aggrieved employees, however, are not required to exhaust any administrative remedies prior to filing suit in the circuit court that has personal jurisdiction over the employer. Injured employees may not utilize both the administrative procedure and a civil action. In either case, the employee may recover the amount of underpayment and 2 percent of the underpayment as damages, but in a civil action, the employee also can recover costs and all reasonable attorneys' fees. Except in the case of civil remedies, any employer or agent of an employer who willfully refuses to pay wages or falsely denies the amount or validity of the amount of the claim shall be guilty of a class B misdemeanor when the unpaid wages, final compensation, or wage supplements total less than \$5,000. Any amount more than \$5,000 will result in conviction for a class A misdemeanor. Employers found liable for wage payments must pay a \$250 nonwaivable fee to the State Department of Labor. In addition, employers who do not seek a review of an administrative or judicial decision within 35 days from the date of the decision or within 15 days from the date of the demand for payment by the State Department of Labor must pay a 20-percent penalty to the department, as well as a penalty of 1 percent per calendar day to the employee for each day the employer does not pay the amount ordered or demanded. Recidivist criminal activity within 2 years will result in conviction for a class 4 felony.

*Worker privacy.* The State Dental Practice Act was amended such that, upon a determination by the chairperson of the State Board of Dentistry that, when reasonable cause exists that a violation constituting grounds for disciplinary action has occurred, a subpoena may be issued for the dental records of the individual patients of licensed dentists and dental hygienists. All information gathered during any investigation shall be kept for the

confidential use of the secretary of the State Department of Financial and Professional Regulation, the dental coordinator, the Board of Dentistry's attorneys, the dental investigative staff, authorized clerical staff, and persons employed by contract to advise the dental coordinator. The confidential information may be disclosed to Federal, State, or local law enforcement agencies pursuant to a subpoena in an ongoing criminal investigation or to a dental licensing authority of another State or jurisdiction. Any information or documents disclosed to a dental licensing authority or to another State or jurisdiction may be used by that authority only for investigations and disciplinary proceedings with regard to a license.

An employer or former employer shall not divulge a disciplinary report, a letter of reprimand, or any other disciplinary action to a third party without written notice to the individual who is the subject of the disciplinary report, letter of reprimand, or other disciplinary action. If (1) the employee has waived written notice as part of a written, signed employment application with another employer, (2) the disclosure is ordered to a party in a legal action or arbitration, or (3) the information is requested by a government agency as a result of a claim or complaint by another employee or as a result of a criminal investigation by the employee's agency, then notifying the employee beforehand is not necessary. Any employer who receives a request for records of a disciplinary report, a letter of reprimand, or any other disciplinary action as part of the Freedom of Information Act may provide notification to the employee in written form, or through electronic mail if available.

The decision not to employ an individual on the basis of the individual's credit history or on a credit report is not permitted. An employer shall not do any of the following as it relates to this legislation: (1) discharge, fail or refuse to hire or recruit, or otherwise discriminate against an individual with respect to employment, compensation, or a term, condition, or privilege of employment because of the individual's credit history or credit report; (2) inquire about an applicant's or employee's credit history; or (3) order or obtain an applicant's or employee's credit report from a consumer reporting agency. The prohibition on obtaining an employee's credit report does not preclude an inquiry or employment action if a satisfactory credit history is an established bona fide occupational requirement of a particular position or of a particular group of an employer's employees. A satisfactory credit history is not a bona fide occupational requirement unless (1) State or Federal law requires bonding or some other form of security covering an individual holding the position; (2) the duties of the position include custody

of, or unsupervised access to, cash or marketable assets valued at \$2,500 or more, including signatory power over business assets of \$100 or more per transaction; (3) the position is a managerial one involving setting the direction or control of the business; (4) the position involves access to personal or confidential information, financial information, trade secrets, or State or national security information; or (5) the position meets the criteria that the U.S. Department of Labor or State Department of Labor have established in which a credit history is a bona fide occupational requirement. Lastly, a person who is injured by a violation of this legislation may bring a civil action in circuit court to obtain injunctive relief or damages, or both.

The State legislature enacted legislation that prohibits the disclosure of State employee performance evaluations under the Freedom of Information Act.

Legislation was enacted that affected the privacy of State employees. Information on all State employees hired in the future will be included in a public access database that also includes information on current State employees. Employee information maintained in the database will include the employee's (1) name; (2) employing State agency; (3) employing State division; (4) position title; (5) current rate of pay and year-to-date pay; (6) county of employment; (7) Rutan status; (8) status with respect to any collective bargaining agreement, merit compensation, or exemption; (9) employment status as probationary, trainee, intern, certified, or exempt from certification; and (10) status as a military veteran.

## Iowa

*Genetic testing.* No person shall obtain genetic information or samples for genetic testing from an individual without first obtaining informed and written consent from the individual or the individual's authorized representative. Nor shall the person perform genetic testing or collect, retain, transmit, or use genetic information without the aforesaid consent. A person who violates or aids in the violation of this legislation is liable to an aggrieved employee, labor organization member, or licensee, or to an aggrieved prospective employee, for affirmative relief, including reinstatement or hiring, with or without backpay; membership; licensing; or any other equitable relief that the court deems appropriate, such as attorneys' fees and court costs. If it can be proven that sufficient evidence exists that a violation has occurred, then the employer, employment agency, labor organization, or licensing agency has the burden of proving that the law has not been violated.

*Other legislation.* Newly enacted legislation clarified the inspection process and the quali-

fications for hospital inspectors. Inspections of hospitals are deemed necessary to determine whether they are complying with applicable rules. Hospital inspectors shall (1) be free of conflicts of interest and shall not participate in an inspection or a complaint investigation in which the inspector or a member of the inspector's immediate family (spouse; natural or adoptive parent; child or sibling; or stepparent, stepchild, or stepsibling) works or has worked within the last 2 years; (2) complete a yearly conflict-of-interest disclosure statement; and (3) biennially complete a minimum of 10 hours of continuing education pertaining to hospital operations. If there is an allegation of abuse by an employee, an independent investigation shall be conducted to determine what, if any, employment action should be taken, including, but not limited to, placing the employee on administrative leave or reassignment and terminating the alleged abuser. Any employee who is terminated and fails to report the termination or investigation to future employers is guilty of a simple misdemeanor. If there is a finding of dependent adult abuse by a caregiver, then written notification shall be made to the caregiver and his or her employer. The notification shall detail both the consequences of placement on the central abuse registry and the caregiver's appeal rights and shall include a separate appeal request form. According to this form, if an appeal is filed within 15 days, the caregiver shall not be placed on the central abuse registry until final agency action is taken.

*Plant closing.* The State enacted legislation known as the State Worker Adjustment and Retraining Notification Act. Under the act, any employer who plans a business closing or a mass layoff shall not order such action until the end of a 30-day period that begins after the employer serves written notice of the action to the affected employees or their representatives and to the State Department of Workforce Development. If a collective bargaining agreement is in effect, the terms within the agreement shall govern the length of the notice period. In the case of the sale of part or all of a business, the seller is responsible for providing notice of any business closing or mass layoff that will take place up to and on the effective date of the sale. The buyer is responsible for notifications after the sale. The notification about the closing or layoff must include the job titles of the positions that are to be affected and the names of the employees currently holding the affected jobs. The notification shall also include the address(es) of the business site(s), and the State Department of Workforce Development shall maintain the confidentiality of the names and addresses of the employees. An employer who violates the provisions of this law shall be subject to a civil

penalty of not more than \$100 for each day of the violation.

*Time off.* The legislature passed a bill requiring employers to give veterans the day off on November 11, Veterans Day. At least 1 month prior to Veterans Day, employees who are veterans must provide the employer with written notice of intent to take the time off, as well as proof of discharge from active duty. Employers are required to notify affected employees at least 10 days prior to Veterans Day whether the time off will be paid or unpaid. If providing time off would jeopardize the public safety or health or would cause significant economic or operational disruption to the employer, then the employer may deny the time off to the minimum number of employees needed to maintain public health or safety or the employer's operational capacity.

## Kansas

*Human trafficking.* The definition of human trafficking under the State Annotated Statutes was amended. The activity is now defined as the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjecting the person to involuntary servitude or forced labor while benefiting financially or by receiving anything of value from participation in a venture that has engaged in coercing employment. Employment is considered coercive if it is obtained or maintained by another person through any of the following means: (1) causing or threatening to cause physical injury to any person, (2) physically restraining or threatening to physically restrain another person, (3) abusing or threatening to abuse the law or the legal process, (4) threatening to withhold food, lodging, or clothing, (5) knowingly destroying, concealing, removing, confiscating, or possessing any actual or purported government identification document of another person, or (6) knowingly holding another person in a condition of peonage in satisfaction of a debt owed the person who is holding such other person. Human trafficking is a severity-level-2 person felony. Aggravated human trafficking, a severity-level-1 person felony, involves the commission or attempted commission of kidnapping, in whole or in part, for the purpose of sexual gratification of the defendant, that results in a death or in which one or more of the preceding actions are committed against a person under 18 years, with the knowledge that the individual will be used in forced labor, in involuntary servitude, or for the sexual gratification of the defendant or another person. If the victim is less than 14 years of age, the activity is called an off-grid person felony. If a defendant who is 18 years or older is convicted of aggravated trafficking, he or she shall be sen-

tenced to a term of imprisonment for life, with a mandatory minimum sentence of not less than 25 years. If the defendant has previously been convicted of such trafficking activities, the State law requires a minimum term of imprisonment of not less than 40 years.

*Workers with disabilities.* The Governor of the State issued an executive order addressing the employment of people with disabilities in State government. The Governor has directed all State agencies to (1) develop a shared vision and mission statement that will lead to people with disabilities gaining employment on a par with the employment of workers without disabilities; (2) inventory State plans, strategic plans, and mission statements to ensure the competitive employment of people with disabilities; (3) identify and revise policies and procedures that are a barrier to the competitive employment of people with disabilities; (4) coordinate employment programs across agencies to maximize the employment of people with disabilities; (5) explore the possibility of implementing new initiatives that will increase the employment of people with disabilities; (6) identify mechanisms for determining baseline data indicating how many people with disabilities are currently employed in the State, how many become employed, and the fiscal impact of their employment; and (7) report annually to the Governor the number of people with disabilities employed in the State and the fiscal impact on the State.

## Louisiana

*Agriculture.* The State legislature enacted a bill that provides unpaid agricultural employees with a security interest in the crops and in the proceeds from those crops. Employees do not need to file the security interest with the State filing office, and the interest is perfected upon attachment. The unpaid employees have priority over all other security interests and are equal among themselves. The new legislation, however, does not prevent the owner of the agricultural products from selling or otherwise conveying the products.

*Employment agency.* The State legislature enacted legislation affecting employment agencies. The new bill allows fines of up to \$500 to be assessed on a per-violation basis for each violation committed by an employment agency of the statute relative to employment agencies. In addition, applicants who are injured by the employment agency, its agents, or its employees through intentional misrepresentation, fraud, deceit, an unlawful act or omission, or in any other illegal or tortuous manner in relation to the employment service retain the right of bringing private legal action. Recovery shall be limited to any amounts paid by

the applicant, plus damages that may not exceed 25 percent of the fees paid by the applicant; or other relief in any court of competent jurisdiction. Attorneys' fees shall be awarded to the prevailing party. Fines for those operating an employment service without a license are increased: an agency operator now may be fined up to \$1,000 per violation, may be imprisoned for up to 6 months, or both.

*Human trafficking.* Legislation was enacted addressing human trafficking. Human trafficking and trafficking of children for sexual purposes are now included in various types of crimes of violence. A conviction on a count of trafficking of children for sexual purposes is considered an aggravated offense. Trafficking of children for sexual purposes is now a sex offense within the meaning of the legislation.

*Inmate labor.* The State enacted legislation that allows for the deduction of incidental costs, in addition to deductions for room, board, and other administrative costs, for inmates on work release programs. Administrative and incidental costs are now defined as all costs other than room and board. Deductions may not exceed 70 percent of the gross wages received by the inmate.

*Whistleblower.* The State legislature passed legislation dealing with whistleblowers in the public school system. The bill gives a public school employee a private right of action against his or her employer if the employer retaliates against the employee for participating in good faith in an investigation of irregularities or improprieties in the administration of standardized tests or if the employee reports irregularities or improprieties to the State Department of Education or to any public school administrator or governing authority. Any person who does retaliate against such an employee is guilty of a misdemeanor and may be fined up to \$500 or imprisoned for up to 6 months, or both. For purposes of this legislation, "retaliation" is defined as (1) discharging, demoting, or suspending an employee who reports any irregularities or improprieties in the administration of standardized tests or (2) threatening, harassing, or discriminating against an employee who reports any irregularities or improprieties in the administration of standardized tests. Any employee who makes a false report of irregularities or improprieties in administering standardized tests shall be guilty of a misdemeanor and subject to up to a \$500 fine, 6 months in jail, or both.

*Worker privacy.* The State Senate resolved to request the State Workforce Commission to act quickly to limit the use of consumer credit reports as a criterion for most employment opportunities in the State.

## Maine

*Immigration legislation.* The State Public Law was amended to indicate that if an employer is found guilty of a violation of Section 871, Subsection 1–A, of the State Revised Statutes Annotated (a class E crime), then for 2 years the employer may not employ H–2A aliens who have been granted permission to work temporarily within the State. It is an affirmative defense to prosecution that (1) before employing or referring a person for employment, the employer made a good-faith inquiry as to whether that person was a U.S. citizen or an alien and (2) the inquiry reasonably indicated that the alien was lawfully admitted to the United States for permanent residence or that the appropriate Federal agency had authorized the alien to accept employment in the United States. A good-faith inquiry must be in writing, and if an application for employment requests citizenship data or an alien registration number, then if the applicant is an alien, the application meets the requirement of a being a good-faith inquiry. A Social Security account number card is not considered evidence of the appropriate Federal agency's authorization for an alien to accept employment in the United States.

*Independent contractor.* Legislation to amend the State laws governing the misclassification of construction workers was enacted. The legislation sets out procedures for issuing stop-work orders because of the misclassification of construction workers. If it is determined that a hiring agent or construction subcontractor has failed to secure workers' compensation for its employees, then a stop-work order must be issued against the hiring agent or subcontractor for the construction project in question. The stop-work order is a final agency action, but the hiring agent or subcontractor must be given at least 3 days' notice of a hearing regarding the order. If the hiring agent or subcontractor presents evidence that it provides workers' compensation coverage for the employees in question, the stop-work order shall be stayed. A stop-work order will continue in effect until the executive director releases it upon finding that the hiring agent or subcontractor has complied with the order. A stop-work order applies to any successor firm, corporation, or partnership of the hiring agent or subcontractor.

*Inmate labor.* Legislation was enacted to clarify the status of prisoners and their exclusion from or inclusion in the definition of the term "employee." Those excluded from the definition include persons who are sentenced as prisoners for a term of incarceration imposed in the State, or in any other jurisdic-

tion, for a criminal offense. However, a prisoner may be considered an employee in any of the following exceptional cases: (1) the prisoner is employed by a private employer, (2) the prisoner is participating in a work release program, (3) the prisoner is sentenced to imprisonment with intensive supervision under Title 17A, Section 1261, of the State Criminal Code, (4) the prisoner is employed in a program established under a certification issued by the U.S. Department of Justice under 18 United States Code, Section 1761, (5) the prisoner is employed while in a supervised community confinement program pursuant to Title 34A, Section 3036A, of the State Code, and (6) the prisoner is employed in a community confinement monitoring program pursuant to Title 30A, Section 1659A, of the State Code.

## Maryland

*Prevailing wage.* Both houses of the State legislature passed legislation outlining amendments to public work contracts. If an employee working under a public work contract is paid at a rate less than the prevailing-wage rate for that employee's classification for the work performed, the employee may file a complaint with the State commissioner of labor and industry. The commissioner may attempt to resolve the issue informally; failing that, the commissioner may order a hearing and is obligated to take certain actions if an employee is found to be entitled to restitution. If an employee who is no longer working under a contract with a public body is found to be entitled to restitution, the commissioner may order that restitution be paid directly by the employer of the employee within a reasonable length of time determined by the commissioner. If an employer fails to comply with an order to pay restitution to an employee, the commissioner or the employee may bring a civil action to enforce the order in the circuit court in the jurisdiction where the individuals are located. If the court finds that an employer paid an employee less than the requisite prevailing wage, the court shall award the affected employee the difference between the wage actually paid and the prevailing wage at the time that the services were rendered, with any outstanding unpaid fringe benefit contributions paid to the appropriate benefit fund, plan, or program, or directly to the employee if the individual is no longer employed by the employer and thus is not enrolled in an appropriate benefit fund. The court may order the payment of double damages or treble damages if it finds that the employer withheld wages or benefits willfully and knowingly, or with deliberate ignorance or reckless disregard for the employer's obligations. An employer may

not discharge, threaten, or otherwise retaliate or discriminate against an employee regarding compensation or other terms and conditions of employment for filing a complaint. If the court finds in favor of the employee in this instance, the employer shall pay the employee an amount equal to 3 times the amount of back wages and benefits, calculated from the date of the violation, as well as reasonable counsel fees and other costs. Any person found to have made a false or fraudulent representation or an omission known to be false or made with deliberate ignorance or reckless disregard for its truth or falsity regarding a material fact in connection with any prevailing wage payroll record is liable for a civil penalty of \$1,000 for each falsified record.

*State department of labor.* The State legislature enacted legislation that requires the commissioner of the State Division of Labor and Industry, Department of Labor, Licensing and Regulation, to investigate wage complaints that do not exceed \$3,000. Included in the legislation are (1) procedures for the commissioner to follow when dealing with a wage complaint and (2) proper methods for disposing of complaints. Upon receipt of an order to pay back wages, an employer has 30 days to request an administrative hearing; if a hearing is not requested, the order to pay becomes a final order. Upon expiration of the 30 days, the commissioner may seek to enforce payment of the wage order in a district court of the county in which the employer resides or has a place of business.

*Time off.* The State Annotated Code was amended with regard to employee participation in civil air patrol activities. Employers may not discriminate against or discharge an employee who has been employed at least 90 days and is a member of the Civil Air Patrol because of membership in the patrol. In addition, employers may not hinder or prevent an employee who has been employed at least 90 days from performing service as part of the State wing of the patrol during an emergency mission when the member is entitled to leave under State law. Employers shall provide no less than 15 days per calendar year of unpaid patrol leave to an employee responding to an emergency mission of the State wing of the patrol. Employees shall give as much notice as possible of the intended dates of the beginning and end of the leave. After arriving at the location of the emergency, the employee shall provide the employer with an estimate of the time needed to complete the mission and shall report to the employer any necessary changes in that time. The employer may require verification of the eligibility of the employee for any patrol leave requested or taken. If the employee fails to provide the required certifi-

cation, the employer may deny the employee leave for the patrol activity. The employee may not be required to exhaust all available leave before using patrol leave. When the employee returns to work, the employer shall restore the employee to the position held when the leave began or to a position with equivalent seniority status, benefits, pay, and conditions of employment. An employer may decline to restore an employee as required by State law because of changed employment circumstances unrelated to provisions of State law.

For each working day in each of 20 or more calendar weeks, an employer who is engaged in a retail establishment business, owns one or more facilities doing business under the same trade name, and employs a total of 50 or more employees in the State may not employ a person for 4 to 6 consecutive hours without providing a nonworking shift break of at least 15 minutes, as long as the person does not qualify for a longer break. The employee is not entitled to a 15-minute nonworking shift break under the 4- to 6-hour work rule if the employee is entitled to a 30-minute nonworking shift break when he or she works more than 6 consecutive hours. If the employee works 8 consecutive hours in a single shift, the employer shall provide an additional break of at least 15 minutes for every 4 more consecutive hours that the employee works in the shift. If an employee's work hours do not exceed 6 consecutive hours, the allowance for time off may be waived by written agreement between the employer and the employee. A shift break may be considered a working shift break if the type of work prevents an employee from being relieved of work during the break or if the employee is allowed to consume a meal while working and the shift break is counted toward the employee's work hours. Alleged violations are reported by the employee to the State commissioner of labor and industry, and if it is found that violations exist, then an order is issued compelling compliance and a civil penalty of up to \$300 may be assessed for each employee with respect to whom the employer is not in compliance and if the violation occurred within 3 years after an employee had filed a previous complaint. If the employer fails to comply with an order issued for a subsequent violation and the employee prevails, the employee may be entitled to 3 times the value of his or her hourly wage for each shift break violation, plus reasonable attorneys' fees and other costs incurred by the employee.

*Wages paid.* A manufacturer, distributor, or factory branch shall make information available to a dealer about any incentive payment, reimbursement payment, cash, gift, or thing of value that the dealer gives to an employee in a calendar year and that is worth more than \$200. An incentive, reimbursement, or cash

payment given to a dealer for distribution to an employee shall be distributed to the employee as part of the payroll process after the dealer has made the appropriate payroll deductions. Upon the filing of a claim, a manufacturer, factory branch, or distributor shall compensate a dealer for any incentive or reimbursement program sponsored by the manufacturer, factory branch, or distributor under the terms of which the dealer is eligible for compensation. A claim shall be filed in the manner and form prescribed by the manufacturer and approved or disapproved within 30 days of receipt. If not approved or disapproved within those 30 days, the claim shall be deemed approved and payable within 30 days of approval. If the claim is shown to be unsubstantiated, the distributor may charge back the claim within 6 months from the payment of the incentive or reimbursement.

The State Wage Payment and Collection Law was amended and now requires that the definition of "wage" include overtime wages and any other remuneration promised for service.

*Worker privacy.* The State legislature enacted an amendment whose purpose is to highlight the rights of State correctional officers relating to employment. A correctional officer may not be required or requested to disclose an item of his or her property, income, assets, source of income, and debts or personal or domestic expenditures, including any item of a member of the officer's family or household, unless the disclosure is required by Federal or State law or the information is necessary to investigate a possible conflict of interest that relates to the performance of the officer's duties. A correctional officer who follows the mandates of this legislation may not be discharged, disciplined, demoted, denied promotion, transferred, reassigned, or otherwise discriminated against for exercising his or her rights granted by the legislation. A correctional officer may waive any or all of the aforesaid rights if he or she signs and acknowledges a waiver to that effect after having been given the opportunity to consult with legal counsel selected by the officer or a representative from the officer's employee organization.

The State Division of Correction is now authorized to require an individual to pass a polygraph examination before being appointed to serve as a correctional officer in a State or local correctional facility. In addition, the State commissioner of correction shall adopt certain regulations governing the administration of authorized polygraph examinations and shall also possess the authority to provide an exemption, for an applicant for employment, from the State-mandated prohibition to the taking of a polygraph examination as a condition of employment. This authority to exempt the person from the prohibition over-

rides a State law which says that an employer may not require or demand, as a condition of prospective or continued employment, that an individual submit to or take a polygraph examination or similar test.

## Michigan

*Agriculture.* Legislation was enacted that amended a portion of the State Codified Laws concerned with agricultural labor camps. Prospective applicants who wish to open such a camp must submit a completed application listing (1) the full name and address of the applicant; (2) the location of the labor camp; (3) the maximum number of people who will occupy the camp at any one time; (4) the months when the camp will be used or occupied; (5) a brief description of the facilities in which the individuals will be housed; (6) a brief description of the sanitary, water, cooking, and sewage facilities available; and (7) any other information required by the State Department of Natural Resources and Environment. Together with the application, the applicant must submit a fee equal to the product of \$5 and the maximum number of occupants of the camp. Finally, the application must be submitted at least 30 days prior to the first day the camp is to be operated.

*Equal employment opportunity.* The State enacted legislation that amended Section 202 of the Elliott-Larsen Civil Rights Act by prohibiting job discrimination against women on the basis of pregnancy, childbirth, or related medical conditions.

*Preference.* No contract shall be awarded by the State Department of Technology, Management and Budget for the construction, repair, remodeling, or demolition of a facility, unless the contract is let pursuant to a bidding procedure that is approved by the department. The department shall issue directives prescribing procedures to be used to implement the new contracting policy. The procedures shall require a competitive solicitation in the awarding of any contract. In awarding a contract under this legislation, the department shall give a preference of up to 10 percent of the amount of the contract to a qualified disabled veteran. If the veteran otherwise meets the requirements of the contract solicitation and, with the preference, is the lowest bidder, the department shall enter into a construction contract with the qualified disabled veteran. If two or more qualified disabled veterans are among the lowest bidders on a contract and all other factors are equal between the two bidders, the qualified disabled veteran with the lowest bid shall be awarded the contract.

## Minnesota

*Prevailing wage.* Legislation was enacted that amends State procurement law. The new legislation requires that more than 19 percent of the total value of all State government contracts for janitorial services; document imaging; document shredding; and mailing, collating, and sorting services be awarded to rehabilitation programs and extended employment providers (employment of workers with disabilities) that are certified by the commissioner of employment and economic development, as well as to licensed day training and habilitation services. Contracts awarded under this bill may exceed the estimated fair market price, determined by the commissioner, by up to 6 percent; however, for the contract to meet the 19-percent requirement, the vendor must be within 6 percent of the fair market price. All vendors eligible for preference under the new bill must submit contact information to the commissioner annually. The commissioner shall provide notice of contracting requirements under the bill to all State authorities for local purchasing buyers along with the list of eligible service providers.

## Missouri

*Child labor.* The State General Assembly enacted legislation that expands the number of individuals authorized to issue child work certificates. In addition to the superintendent of public schools of the district in which the child resides, the chief executive officer, or his or her equivalent, of the charter school the child attends or a person holding a student services certificate and who is authorized in writing by the superintendent or chief executive may issue work certificates. The bill also authorizes the issuance of a work certificate by the superintendent or the person holding a student services certificate when the principal of a public or private school chooses not to issue work certificates. Principals who issue work certificates must self-certify that they understand the requirements therefor and must submit copies of all work certificate applications and issued certificates to the superintendent of the school district. The superintendent may revoke a work certificate issued by a principal of a public or private school in the district if the child becomes ineligible for a work certificate under existing law. A parent is not permitted to issue a work certificate to his or her child unless the parent is the student's primary educational provider and is responsible for the student's education program. Finally, a school superintendent may authorize another to issue work certificates in his or her absence, even if the authorized person does not possess a student services certificate.

*Drug and alcohol testing.* An omnibus education piece of legislation was enacted by the State legislature. Among the topics included in the legislation are requirements for drug and alcohol testing for employees of contractors and subcontractors. As a condition for bidding on projects to build elementary and secondary education facilities, contractors and subcontractors must establish and implement a random drug-testing policy. Testing shall be conducted by a duly certified testing facility, and any positive results must be reported to the employee, employer, and school district. All costs incurred shall be borne by the employer, and in no instance will the State or any of its political subdivisions be responsible for testing expenses. Finally, all testing rules must conform to Federal laws and regulations governing drug and alcohol testing.

## Nebraska

*Independent contractor.* An individual performing construction labor services for a contractor engaged in a delivery service or a construction contractor business, including any subcontractor performing services for a contractor, is presumed to be an employee, and not an independent contractor, for purposes of the State Employee Classification Act. Individuals may be considered independent contractors if they are exempted from unemployment insurance coverage or if they have been assigned a combined tax rate and registered as a contractor prior to beginning the construction work for the contractor. It is a violation of the act for a contractor to designate an individual as an independent contractor who would be properly classified as an employee under State statute. The State Department of Labor shall establish and operate a hot line and Web site for individuals to report suspected violations of the act. The hot line and Web site may be operated in conjunction with the requirements of the act. At a minimum, the act requires the reporting individual to provide contact information and a description of the suspected violation, including the name of the business and the location of the jobsite. The information provided shall be confidential. If there is a positive finding regarding the alleged violation, the contractor shall be assessed a \$500 fine for each misclassified individual for the first offense and a \$5,000 fine for each misclassified individual for each second and subsequent offense. The State Department of Labor shall provide a report annually to the legislature regarding compliance with, and enforcement of, the act. The report shall include, among other items required, the number of reports received from the hot line and Web site, the number of reports investigated, and the findings of the reports. Every contractor shall post, in a

conspicuous location at the jobsite or place of business, a statement, in English and Spanish, asserting that every individual working for a contractor has the right to be properly classified by the contractor as an employee rather than an independent contractor. Anyone who believes that he or she or someone else has been improperly classified must contact the State Department of Labor. Any contractor who knowingly provides a false affidavit shall be subject to the penalties of perjury and, upon a second or subsequent violation, shall be barred from contracting with the State or any political subdivision thereof for a period of 3 years after the date of discovery of the falsehood.

*Offsite work.* The State legislature passed the Teleworker Job Creation Act. The act encourages businesses to promote the creation of and training for new jobs that can be performed in the employee's home within the State. A "qualified training program" is a training program that (1) has at least 15 hours of instruction per trainee, all of which will occur in the trainee's residence, (2) will pay each trainee at least the Federal minimum hourly wage rate, and (3) will train trainees as teleworkers. Trainees must pass job-related tests established by the employer. Any employer who (1) has an approved application, (2) trains at least 400 employees in a qualified training program within 365 calendar days from the day the application must be filed, and (3) offers employment to those employees to work for the employer as teleworkers will be reimbursed for all job training performed. Hiring preference, based on available jobs, should be given to those applicants who reside in the State within counties of less than 100,000 inhabitants and with high concentrations of individuals living below the poverty line.

*Wages paid.* The State statutes concerning recordkeeping for wages paid were amended. When an employee makes a written request, an employer must now furnish an itemized statement showing wages paid and deductions for each pay period that earnings and deductions were made. The employer must furnish the information within 10 working days after the request is submitted. An employer who fails to furnish the itemized statement is guilty of an infraction and subject to a fine.

## New Hampshire

*Independent contractor.* The Governor issued an executive order directing State departments that currently enforce State employee misclassification laws to coordinate their respective resources in order to identify and investigate cases of misclassification and develop strategies to eliminate misclassification. The State

Department of Labor will lead the coordination effort. The Governor also established a joint task force to address the issue of misclassification. The task force will (1) examine and evaluate current misclassification enforcement mechanisms, including mechanisms arising under minimum wage, employment security, workers' disability, and tax laws, and make recommendations for more effective enforcement; (2) identify barriers to information sharing and recommend to the Governor actions needed to overcome the barriers; (3) work cooperatively with business, labor, and community groups to reduce incidents of misclassification; (4) increase public awareness of the illegal nature and harm caused by misclassification; and (5) encourage businesses and individuals to identify possible violators through a misclassification Web site. On September 1 of each year, the task force must issue a public report to the Governor that will detail the work of the task force in the previous year.

*Minimum wage.* Legislation was passed that discusses the State minimum-wage law as applied to tipped restaurant employees. In clarifying the definition of "restaurant," the bill states that the term must include businesses located in a permanent or temporary building that is kept, used, maintained, advertised, and held out to the public as a place where meals are regularly served for a fee. Also, the establishment must offer seating, and table or delivery service must be available to the customer. Finally, tipped employees shall include employees who deliver prepared food.

*Wages paid.* Legislation was enacted that allows employers to withhold wages of employees for legal plans and identity theft plans offered by the company, as long as the employer receive no financial gain from the plans. The employee has to provide his or her written authorization for the deduction(s), and the deduction(s) must be properly recorded.

## **New Jersey**

*Drug and alcohol testing.* As a condition of employment as a direct care staff member at a State psychiatric hospital or developmental center, an applicant shall consent to and undergo drug testing for controlled dangerous substances. The cost of the testing shall be borne by the applicant. Any person applying for employment shall be removed from consideration if they test positive for the unlawful use of any controlled dangerous substance or refuse to submit to drug testing. Any person who is employed by a State psychiatric hospital or developmental center as a direct care staff member shall be subject to random drug testing for controlled dangerous substances.

The testing will be performed at intervals that the commissioner of the State Department of Human Services deems appropriate, and the commissioner shall perform random drug tests annually on 500 direct care staff members. If, on the basis of the employee's visible impairment or professional misconduct that relates adversely to patient care or safety, the employee's supervisor has reasonable suspicion to believe that the employee is illegally using a controlled dangerous substance, the employee may be required to undergo drug testing. Drug testing required as a result of random testing or supervisor observation shall be at the expense of the department and shall be performed by an outside drug-testing facility in a manner prescribed by the commissioner. Similar drug-testing criteria apply to direct care staff employees of veterans' memorial homes, with the supervisor reporting to the State adjutant general. Any subsequent testing for such staff is to be paid by the State Department of Military and Veterans Affairs.

*Employee leasing.* The State enacted amending legislation that provides for the suspension or revocation of certain licenses which are required by law and are issued by an agency for the purpose of operating a business in the State. The licenses shall be suspended or revoked for certain repeated violations of laws, including the failure to maintain and report records regarding pay, wages, benefits, and taxes pursuant to State wage, benefit, and tax laws. Specifically, the enacted bill states that, in instances in which an employee leasing company has entered into an employee leasing agreement with a client company, any written determination by the commissioner of the State Department of Labor and Workforce Development directing agencies to suspend or revoke an employer's license for a failure or continued failure to keep records or make payments pursuant to State wage, benefit, and tax laws will be for the suspension or revocation of the licenses of the client company, and not the licenses of the employee leasing company, if the commissioner determines that the failure was caused by incomplete, inaccurate, misleading, or false information provided to the employee leasing company by the client company.

*Equal employment opportunity.* Legislation was enacted concerning the rights of persons with an autism spectrum disorder that could be the basis for discrimination. The purpose of the legislation is to clarify the provisions of the State Law Against Discrimination, especially those concerning its prohibition of discrimination against a person with a disability. The legislation specifies that the definition of "developmental disability" within the State law now includes autism spectrum disorders.

The revised State law prohibits discrimination in housing, employment, and access to public accommodations generally.

*Family issues.* The State enacted legislation that provides for annual adjustments in family temporary disability leave contribution rates and limits certain refunds of contributions. The adjustments are to commence in calendar year 2011. The bill requires that the annual rate of contribution to be paid by workers into the Family Temporary Disability Leave Account, for calendar year 2011 and each calendar year thereafter, be the rate necessary to obtain a total amount of contributions equal to 125 percent of the benefits payable for family temporary disability leave during the calendar year, plus 100 percent of the amount necessary to administer the benefits, less the amount of net assets remaining in the account at the end of the immediately preceding year. Further, the bill makes it clear that any worker with more than one employer is entitled to a refund if the worker's combined contribution to all employers exceeds the family temporary disability leave contribution rate set by the law. The contribution rate paid by workers for family temporary disability leave insurance during 2011 and any subsequent year will be calculated on the basis of actual expenditures for the preceding year, instead of estimates by the commissioner of the State Department of Labor and Workforce Development of expenditures expected during the year in which the contributions are to be collected.

*Garment.* Legislation was enacted concerning the procurement of apparel by the State and supplementing Title 34 of the State Revised Statutes. The State Apparel Procurement Board was established to ensure that the State's interests as a market participant were protected with respect to apparel contracts entered into by the State and its instrumentalities. When purchasing or otherwise obtaining apparel from a vendor, a public body shall require that all apparel production be in compliance with the following conditions: (1) all apparel production under the contract shall be performed in the United States, except where it is determined that it is not possible to obtain apparel produced in the United States that meets the necessary requirements of the public body; (2) workers employed to produce the apparel shall be provided a work environment that is safe, healthy, and free of discrimination on the basis of race, national origin, religion, sex, and sexual preference; and (3) the workers employed to produce the apparel shall be provided compensation at an hourly rate determined by the State commissioner of labor to be not less than the poverty line for a family of three, based upon 40 hours a week for 50 weeks a year. The workers employed to

produce the apparel shall not be terminated, except for just cause, and vendors and their contractors and subcontractors shall provide a mechanism for resolving all disputes with apparel production workers. Every apparel contract and bid application shall contain a provision or provisions detailing the newly enacted requirements of statutes, and compliance with these requirements shall be made a binding part of all apparel contracts.

*Other legislation.* The State enacted legislation concerning benefits for public employees and amending and supplementing various parts of the statutory law. Supplemental compensation for unused sick leave shall be payable only at the time of retirement from a State or locally administered retirement system and is based on the leave credited on the date of retirement. The political subdivision of the State or of an agency, authority, or instrumentality of the State shall not pay the employee for unused sick leave in an amount in excess of \$15,000. Accrued vacation leave that is not used by the employee within the year because of duties directly related to a state of emergency declared by the Governor may accumulate at the discretion of the appointing authority, and the employee shall be compensated for that leave, which is not subject to collective bargaining.

The State provides several plans that offer equity awards for corporations to use for the benefit of some or all employees and their families, dependents, or beneficiaries. Among these plans are (1) those which provide for the sale or distribution of shares of any class or series of stock options and purchases, profit-sharing, savings, pension, retirement, deferred compensation, and other plans of a similar nature, whether or not such plans also provide for the distribution of cash or property other than the aforesaid shares; (2) those which offer payments solely in cash or property other than shares of the corporation; these plans include profit-sharing, bonus, savings, pension, retirement, deferred compensation, and other plans of a similar nature; and (3) plans for the furnishing of (a) medical services, including life, sickness, accident, and disability or unemployment insurance or benefits, (b) education, housing, social, and recreational services, and (c) other, similar aids and services. Any or all of these plans may be adopted, amended, or terminated by a corporation by the act of its board, a committee of the board, or officers to whom the responsibility has been delegated.

*Prevailing wage.* The State law concerning prevailing wages was amended. Public work that includes construction, reconstruction, demolition, alteration, custom fabrication, or

repair work to be done on property in which not less than 55 percent is to be leased by a public body, or is subject to an agreement to be leased by a public body, and is to be paid in whole or in part with funds of a municipality in the State shall be equal to the threshold amounts under the State prevailing-wage law for that municipality. Amending legislation also has changed the definition of “maintenance work” to include the repair of existing facilities when the size, type, or extent of such facilities is not changed or increased. In addition, maintenance work is any work on a maintenance-related project that exceeds the scope of work and capabilities of in-house maintenance personnel, requires the solicitation of bids, and has an aggregate value exceeding \$50,000.

Another piece of legislation requires that the prevailing-wage rate be paid to workers employed in the performance of any construction undertaken in connection with financial assistance from the State Board of Public Utilities. This requirement applies to the performance of any contract to construct, renovate, or otherwise prepare a facility, the operation of which is necessary for the receipt of such financial assistance. The prevailing-wage requirements shall not apply to any contract that is less than the threshold amounts under the State prevailing-wage law for municipalities. The prevailing-wage rate shall be the rate determined by the commissioner of the State Department of Labor and Workforce Development and does not include any rebate, credit, loan, loan guarantee, expenditure, investment, grant, rental voucher, rental assistance, tax exemption, tax incentive, or other financial assistance from any source if that assistance is provided directly to a homeowner or tenant in connection with the homeowner’s or tenant’s place of residence. Also excluded from coverage of the prevailing-wage rate determination is assistance for energy-related and other improvements to the place of residence. The exclusion of financial assistance from the board applies as well to the weatherization or new construction of a single-family home, town home, or row home, or of any apartment building, condominium building, or multifamily home of four or fewer stories.

*Wages paid.* The State enacted legislation that permits an employer to withhold or divert a portion of an employee’s wages for payments of the costs and related fees for the replacement of employee identification tags when such identification is used to allow employees access to sterile or secured areas of airports. The withholding of wages shall be in accordance with a fee schedule described in any airline media plan approved by the Federal Transportation Security Administration.

## New Mexico

*Independent contractor.* The State Public Employees Retirement Act was amended in order to change the requirements for retired public employees for returning to public employment after retirement. Now, to be reemployed by a public employer affiliated with the State retirement plan, the retired member of the plan must not have been employed by an affiliated public employer or retained as an independent contractor by the affiliated public employer from which the retired member retired for at least 12 consecutive months from the date of retirement to the commencement of the employment or reemployment with the affiliated public employer. The retired member’s pension shall be suspended upon commencement of the employment. Except as provided in the amended law, the previously retired member shall not become a member of the State retirement plan; thus, the previously retired member shall accrue no service credit, and the previously retired member and his or her affiliated public employer shall make no contributions to any coverage plan pursuant to the act. Upon termination of subsequent employment, the previously retired member’s pension shall resume in accordance with the act’s provisions.

*Whistleblower.* A public employer shall not take any retaliatory action against a public employee because the public employee communicates, either to the public employer or to a third party, information about an action or a failure to act that the employee believes, in good faith, constitutes an unlawful or improper act. The employer is also prohibited from taking any retaliatory action if the employee provides information to, or testifies before, a public body as part of an investigation, hearing, or inquiry into an unlawful or improper act, or if the employee objects to, or refuses to participate in, an activity, policy, or practice that is unlawful or improper. Nor is retaliation permissible if the improper or unlawful act violates a Federal law or regulation, a State law, an administrative rule, or a law of any political subdivision of the State, or constitutes malfeasance in office, gross mismanagement, a waste of funds, or an abuse of authority. A public employer that violates any provision of this law shall be liable to the public employee for the actual damages, reinstatement with the same seniority status, 2 times the amount of backpay with interest, and compensation for any special damage sustained as a result of the violation. In addition, an employer shall be required to pay the litigation costs of the employee. Finally, any action taken by the employer against the employee must be motivated by the employee’s misconduct or poor job performance, a reduction in the workforce,



or some other legitimate business purpose, and not by retaliation.

*Worker privacy.* Legislation was enacted that created the State Hazardous Duty Officers' Employer-Employee Relations Act. The act defines a hazardous-duty officer as an individual who is employed full time by the State or a political subdivision thereof as a firefighter, emergency medical technician, or paramedic, but does not include personnel who have not completed the probational period established by the individual's employer. If a hazardous-duty officer is under investigation by his or her employer for alleged actions that could result in administrative sanctions being levied against the officer, then, unless the urgency of the situation requires otherwise, (1) the officer may be interrogated only while on duty or during his or her normal waking hours and (2) the interrogation must be done at the employer's facility. Prior to the start of an interrogation session, the hazardous-duty officer shall be informed of the name and rank of the person in charge of the interrogation and the names of all other persons who will be present during the interrogation. The officer also shall be informed of the nature of the investigation and the names of all known complainants, unless such disclosure would compromise the integrity or security of the investigation. The interrogation shall be recorded, and the complete interrogation shall be published as a transcript, which shall be made available to the officer, upon written request, no later than 15 working days after the investigation has been completed. While under investigation, the officer shall be permitted to produce any relevant documents, witnesses, or other evidence to support his or her case and may cross-examine any adverse witness during any grievance process or appeal involving disciplinary action. No document containing comments adverse to a hazardous-duty officer shall be entered into the officer's personnel file, unless the officer has read and signed the document. Finally, when a hazardous-duty officer is under administrative investigation and a determination is made to commence a criminal investigation, the officer shall immediately be notified of the investigation and shall be afforded all the protections set forth in the Bill of Rights of the U.S. Constitution and in the State Constitution. An officer shall not be prohibited by an employer from engaging in any political activity when the officer is off duty, except as otherwise provided by law.

With certain exceptions, neither the State Educational Retirement Board nor its employees or contractors shall allow public inspection or disclosure of any information to anyone regarding a member or retired member of the board, other than the names of members and local administrative units by which a

member was employed; dates of employment, retirement, and reported death; service credit; reported salary; retirement and disability benefits; and amounts of contributions made by members and local administrative units. If the information provided relates to contributions, payments, or the management of monies received by a local administrative unit or to the financial controls or procedures of a local administrative unit, the exceptions include (1) the member, retired member, or spouse or authorized representative of the member or retired member; (2) other persons specifically identified in a prior release and consent; (3) the attorney general; (4) appropriate law enforcement agencies; and (5) the State auditor, public education department, or higher education department. No person receiving information disclosed as a result of a violation of the restrictions set forth in this legislation shall disclose that information to any other person, unless such disclosure is authorized by an applicable confidentiality agreement, board rule, or State law. Whoever knowingly violates a provision of the legislation is guilty of a petty misdemeanor.

#### **New York**

*Equal employment opportunity.* The State Governor issued an executive order banning discriminating practices in State employment on the basis of gender identity. The ban extends to all employment matters, from recruiting, hiring, appointing, terminating, and retaining personnel to promotion, tenure, and wages. Regulations prohibiting such practices of discrimination, as well as mandating an environment in which only job-related criteria are used to assess an employee or a prospective employee, will be promulgated by the State Governor's Office of Employee Relations. In addition, this State Office will implement a procedure for the swift and thorough investigation of complaints of discrimination.

*Hours worked.* The legislature passed a statute that amends the State labor law and executive law. The labor law is amended by the addition of a definition of "domestic worker," as well as sections limiting the number of hours domestic workers are allowed to work in a given period. The statute defines a domestic worker as a person employed in a home or residence to care for a child; serve as a companion to a sick, convalescing, or elderly person; perform housekeeping; or carry out any other domestic service purpose. This definition, however, does not include any individual (1) working on a casual basis; (2) who is engaged in providing companionship services as defined under the Fair Labor Standards Act and who is employed by an employer or agency other than the family or household using the individual's services; or (3) who is a relative through blood, marriage, or

adoption of the employer or of the person for whom the worker is delivering services under a program funded or administered by Federal, State, or local government. In addition, domestic workers shall not be required to work more than 40 hours in a week, or 44 hours if they reside in the home of their employer, unless they receive overtime wages of at least 1½ times their normal wage rate. Domestic workers must be allowed at least 24 consecutive hours of rest each week; they may agree to work on their rest days, but they must be paid the overtime rate for all hours worked on such days. The executive law is amended by the prohibition of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made a term or condition of employment; (2) submission to or rejection of such conduct is used as the basis for employment decisions affecting the worker; or (3) the conduct creates an intimidating, hostile, or offensive working environment or interferes with the worker's performance. Similarly, unwelcome harassment by the employer that is based on gender, race, religion, or national origin and that creates an intimidating, hostile, or offensive work environment or interferes with the worker's performance is prohibited.

*Independent contractor.* Legislation was passed striking certain language from existing insurance law. The definition of "independent worker" no longer includes the phrase "on a temporary basis" in reference to a worker who is hired to work for a single employer for 18 months or less. In addition, an eligible association, in conjunction with a group health insurer, may not charge individuals application or renewal fees for determining their initial or ongoing eligibility for group health insurance provided through the association.

The State legislature added a new article to the labor law. The addition addresses independent contractors and employees in the construction industry. The article defines "construction" as constructing, moving, reconstructing, altering, maintaining, rehabilitating, repairing, renovating, or demolishing any building, structure, or improvement, or as work relating to the excavation of, or to other development or improvement to, land. The article also defines "contractor" as any sole proprietor, partnership, firm, corporation, limited liability company, association, or other legal entity permitted by law to do business within the State and that engages in construction as defined by the article. The term "contractor" includes general contractors as well as subcontractors. The new article stipulates that a contractor must classify a person as an employee, unless that person meets certain criteria enumerated in the article. A business entity is separate from the contractor only when all criteria cited in the new article are met. The

criteria track the common-law test for an independent contractor relationship. A contractor's failure to withhold Federal or State income taxes toward payment of unemployment compensation contributions or workers' compensation premiums is not a consideration in the employment relationship. Retaliation of any kind by the contractor is prohibited, and the employee's private right of action against retaliation is not limited by any penalty imposed by State authorities. Any contractor who willfully violates this statute will be subject to a civil penalty of up to \$2,500 for the first violation per misclassified employee and up to \$5,000 for each subsequent violation per misclassified employee within a 5-year period. In addition, the criminal penalty imposed for a first-offense willful violation of the statute is a misdemeanor punishable by up to 30 days' imprisonment or a fine not to exceed \$25,000. Subsequent violations could result in incarceration of up to 60 days and a fine of up to \$50,000. Any officer or shareholder who owns or controls more than 10 percent of the outstanding shares of an incorporated contractor who knowingly permits the corporation to willfully violate this statute also shall be in violation and subject to the same civil and criminal penalties. Contractors, who are subject to civil penalties under this statute, are subject as well to any other applicable penalties or remedies provided by law for failure to pay any other statutory payment or coverage obligations. Any contractor, officer, or shareholder who owns more than 10 percent of the outstanding shares of a contractor who has been convicted under this statute shall be subject to debarment and shall be ineligible to submit a bid or be awarded any contract with the State or with any municipal corporation, public benefit corporation, public authority, or public body for up to 1 year from the date of conviction or final determination or from up to 5 years for subsequent convictions. Nothing in this statute limits the availability of other remedies at law or in equity for violations of the statute. Every contractor must post, in a conspicuous place on the jobsite, a legible statement that describes both the responsibilities of independent contractors toward employees and the rights of employees. The State commissioner of labor will make the notice available. Contractors who violate this requirement will be subject to a civil penalty of up to \$1,500 for a first violation and up to \$5,000 for subsequent violations within a 5-year period.

*Inmate labor.* The commissioner, superintendent, or director of an institution in which inmates are confined may permit an inmate to leave the institution under guard for the purpose of performing volunteer labor or services in the public interest when there is a threat or occurrence of a natural disaster, including

earthquakes, hurricanes, landslides, and fires. An inmate also may be permitted to leave the institution in order to voluntarily perform work for a nonprofit organization—that is, an organization operated exclusively for religious, charitable, or educational purposes and for which no part of the net earnings may be used to the benefit of any private shareholder or individual.

*Other legislation.* No employer or its duly authorized agent shall transfer or in any other manner penalize or threaten an employee regarding his or her employment. Among the actions prohibited by law are reassignment, a scheduling change, an adverse evaluation, a constructive dismissal, and the denial of a promotion or overtime based in whole or in part on the employee's failure to meet a quota, established by the employer or its agent, of tickets or summonses issued within a specified period for violations of provisions of law for which a ticket or summons is authorized. This prohibition also applies to a quota on arrests or stops of individuals suspected of criminal activity, where the quota must be met within a specified period.

*Plant closing.* The State social services law was amended to indicate that, in a city having a population of 1 million or more, the social services district seeking to close a child daycare center under contract with the district shall provide at least 6 months' written notice to the center and to the parents or persons legally responsible for children enrolled in the center prior to closing. This notification requirement does not apply in cases where there are violations of the regulations of the State Office of Children and Family Services or when the center is closed for health and safety reasons. The district also can seek to close a child daycare center on an expedited basis for reasons of public safety, criminal behavior by the center, breach of contract with the local social services district, or suspension or revocation of the center's license for noneconomic reasons.

*Time off.* The State legislature enacted a bill that requires employers to extend funeral or bereavement leave to employees who experience the death of a same-sex partner or relative of the partner if the employer has a policy of extending funeral or bereavement leave to employees for the death of a spouse or relative of the spouse.

*Workers with disabilities.* Legislation was enacted that amended executive law with regard to ensuring the protection of individuals with disabilities under the human rights law. As amended, the statute now states that the opportunity to obtain employment without dis-

crimination on the basis of age, race, creed, color, national origin, sexual orientation, military status, sex, marital status, or disability is hereby recognized as, and declared to be, a civil right.

## North Carolina

*Worker privacy.* If a career employee has been recommended for dismissal and chooses to resign without the written agreement of the superintendent, then the superintendent shall report the matter to the State Board of Education. The employee shall be deemed to have consented (1) to the placement in the employee's personnel file of the written notice of the superintendent's intention to recommend dismissal and (2) to the release of the fact that the superintendent has reported the employee to the State Board of Education and to prospective employers. These provisions, however, shall not apply to the public release of this information. Furthermore, the employee shall be deemed to have voluntarily surrendered his or her certification pending an investigation by the State Board of Education, and the surrender shall not exceed 45 days from the date of the employee's resignation. The State Board of Education can initiate an investigation within 5 working days of the written notice from the superintendent, who shall make a final decision, within 45 days from the date of resignation, as to whether to revoke or suspend the employee's certificate. A teacher who is not recommended for dismissal should not resign without the consent of the superintendent, unless he or she has given at least 30 days' notice. If the teacher does resign without giving at least 30 days' notice, the board may request that it revoke the teacher's certificate for the remainder of the school year in question. A copy of the request shall be placed in the teacher's personnel file.

## Ohio

*Family issues.* The State legislature enacted an omnibus bill to amend many changes to State laws, including laws relating to family leave. Once per calendar year, an employer shall allow an employee to take leave of up to 10 days or 80 hours, whichever is less, if all of the following conditions are satisfied: (1) the employer has employed the employee for at least 12 consecutive months and for at least 1,250 hours in the 12 months immediately preceding the start of the leave; (2) the employee is the parent, spouse, or a person who has or had legal custody, of a member of the uniformed services who is called into active duty for a period longer than 30 days or who is injured, wounded, or hospitalized while on active duty; (3) the employee gives at least 14 days' notice of the intent to take leave for a call to active duty, or at least 2 days' notice prior to

taking leave because of an injury, wounding, or hospitalization of a uniformed family member; (4) the dates the employee takes leave occur no more than 2 weeks prior to, or 1 week after, the service member's deployment date; and (5) the employee does not have any other leave available, except sick leave or disability leave. The employer shall continue to provide benefits to the employee, with the employee being responsible for the same proportion of the cost of the benefits as he or she pays when not on leave. Upon completion of the leave, the employee shall be restored to the position held prior to taking the leave, with equivalent seniority, benefits, pay, and other terms and conditions of employment. The employer may require an employee who requests the use of leave to show certification from the appropriate military authority. An employer shall not discharge, fine, suspend, expel, discipline, or discriminate against an employee with respect to any term or condition of employment because of the employee's intent to use leave; nor shall the employer deprive the employee of any benefit that accrued before the commencement of the leave. An employee's rights shall not be waived, nor can the employer enter into a collective bargaining agreement that limits or requires an employee to waive his or her employment rights. A violation of these rights subjects an employer to a civil action for injunctive or any other relief that a court finds necessary.

## Oklahoma

*Equal employment opportunity.* A definition was added to the State's employment protection laws. The new legislation defines "sex," "because of sex," and "based on sex" to include, but not be limited to, pregnancy, childbirth, and related medical conditions. In addition, women affected by pregnancy, childbirth, or a related medical condition shall be treated the same for all employment-related purposes as other persons not so affected, but similar in their ability or inability to work.

The State enacted the Freedom of Conscience Act. Under the new law, an employer shall not discriminate against an employee or a prospective employee by refusing to reasonably accommodate the religious observance or practice of the employee, unless the employer can demonstrate that the accommodation would pose an undue hardship on the program, enterprise, or business of the employer in certain circumstances described by State law. No health care facility, school, or employer shall discriminate against any person with regard to admission, hiring or firing, tenure, term, condition, privilege of employment, student status, or staff status on the grounds that the person refuses, or states an intention to refuse, to participate in a medical procedure or an activity on the basis of religious or

moral precepts. No person shall be required to participate in a medical procedure or activity if such participation is contrary to the person's religious beliefs or moral convictions. A person who is adversely affected by conduct that is in violation of this act may bring a civil action for equitable relief, including reinstatement or damages, or both. In an action under the act, the court shall award reasonable attorneys' fees to a person who obtains equitable relief. The action shall be commenced within 1 year after the cause of action accrues, or else the action shall be barred.

*Human trafficking.* Amended State law now makes it illegal to intentionally destroy, hide, alter, abscond with, or keep documentation from someone for the purpose of trafficking that person within the United States. Such documentation includes birth certificates, visas, passports, green cards, or other documents used to verify or legally extend an individual's legal status within the Nation. Any person found guilty of a crime under the amended law will face up to 1 year in jail or up to a \$1,000 fine, or both. Subject to the availability of funds, the State attorney general is authorized to establish a hot-line number for victims of human trafficking to request assistance or rescue. Finally, the legislation makes it a crime for anyone to blackmail another by threatening to report that person as being illegally present in the United States. As defined in this bill, blackmail is verbal, written, or printed communication with the intent to extort or gain anything of value from another or to compel another to do an act against his or her will. This crime is punishable by imprisonment of up to 5 years, a \$10,000 fine, or both.

*Immigration legislation.* An exception was added to the list of exceptions from the requirement that every State agency or political subdivision of the State verify the lawful presence in the United States of any individual older than 14 years who has applied for State or local benefits. The new exception provides that verification is not required if the person in question is applying for a special volunteer health care license. The license must specify that the volunteer is either retired from practice in the State or actively licensed in another State with no record of infractions in that State. The application also must specify that the volunteer will not receive, or plan on receiving, compensation for services rendered under the volunteer application.

*Time off.* Any State employee in the executive branch of the State government who is a certified disaster service volunteer of the American Red Cross or a member of the U.S. Air Force Auxiliary Civil Air Patrol may be granted a leave with pay not to exceed 15 working days

in any 12-month period so that the person may participate in specialized disaster relief services within the State. Approval of the Governor of the State is required in order for the individual to be granted leave without loss of pay, annual or sick leave, accrued overtime wages, or compensatory time. The executive agency for whom the employee works shall compensate an employee who is granted leave time under this legislation at his or her regular rate of pay for those regular work hours during which the employee is absent from work.

*Worker privacy.* Legislation that amends worker privacy laws was enacted by the State. The provisions of the legislation allow economic and business research centers within State higher education institutions to access confidential employee records maintained by the State Employment Security Commission. The information gained from the commission can be used only for aggregating data and identifying economic trends, and any information gained from the commission must meet its disclosure requirements.

## Oregon

*Equal employment opportunity.* The State enacted legislation relating to unlawful discrimination in employment practices. Employers are now required to provide reasonable accommodation for the religious observance or practice of employees, unless doing so would impose undue hardship on the employer. Also, employers must permit employees to use vacation or other kinds of leave for religious observance or practice. Finally, employers are prohibited from imposing occupational requirements that restrict the ability of an employee to wear religious clothing, to take time off for a holy day, or to participate in a religious observance or practice if the employee's doing so would have only a temporary or tangential impact on the employee's ability to perform his or her job functions.

*Prevailing wage.* The State Revised Statutes concerning the prevailing wage were amended. "Prevailing rate of wage" refers to the rate of hourly wage, including all fringe benefits, that the State commissioner of the Bureau of Labor and Industries determines is paid in a given locality to the majority of workers employed on projects of a similar character in the same trade or occupation. "Public works" is defined in part as a project that uses funds from a private entity and \$750,000 or more of funds from a public agency for constructing, reconstructing, painting, or performing a major renovation on a privately owned road, highway, building, structure, or improvement of any type and is thus subject to the prevailing wage rate. This definition also applies to a project that uses funds from a pri-

vate entity for the construction of a privately owned road, highway, building, structure, or improvement in which a public agency will use or occupy 25 percent or more of the square footage of the completed project. Public works also may include a device, structure, or mechanism that uses solar radiation as a source for generating heat, cooling, or electrical energy.

### Rhode Island

*Child labor.* The State laws concerned with child labor were amended. With the aim of prohibiting youths from engaging in hazardous occupations, it is now illegal for a person under 16 years to operate a gasoline-dispensing device at a self-service station. Further, no retail dealer of gasoline or any other motor fuel shall be prohibited from employing any person who has reached 16 years for the purpose of operating any gasoline-dispensing device, notwithstanding any other State statute, rule, or regulation to the contrary.

*Other legislation.* Before any temporary employee is given any new job assignment, regardless of whether the assignment is or is not with the same contracting company, employment agencies shall provide the employee with a copy of a written notice that includes a job description with classification requirements, estimated longevity of the assignment, information concerning any job hazards, and the anticipated pay rate, benefits, and work schedules. The employment agency shall keep a copy of the job description and other specifications on file for a period of 1 year and shall make the copy available to the employee. A notice of this law must be posted and maintained at all employment agencies at a location where workers can view it. Once it is determined that an employment agency has violated the notification provisions, the State Department of Labor and Training shall send the employment agency a written notice of the violation, containing a description of the operative fines. Any employment agency determined to have committed a second violation of the law within 5 years of the first violation shall be subject to a \$500 fine. If a third or subsequent violation of the law occurs within 5 years of a previous violation, the agency shall then be subject to a fine of \$1,000.

Legislation was passed that allows employees placed on extended medical leave to maintain their group hospital, surgical, or medical insurance plan benefits for 18 months from the date the employee was placed on such leave. To qualify for this extension, an employee must have been employed full time for at least 3 months prior to placement on the leave. The employer may continue to contribute to the plan, but is not required to do so and may require the employee to pay 100 percent of the cost of the plan benefits. An

employee becomes eligible for continuing coverage when his or her employer provides a written statement to the plan explaining that (1) the employee is being placed on extended medical leave for a medical reason (pertaining to either the employee or the employee's immediate family), (2) the employee can no longer work full time, and (3) both the employer and the employee expect the employee to return to full-time work someday.

*Overtime.* No employer shall engage any employee for a workweek longer than 40 hours, unless the employee is compensated at a rate of 1½ times the regular rate at which he or she is employed, for all hours worked in excess of 40 hours per week. However, any employers that pay any delivery drivers or sales merchandisers an overtime rate for hours worked in excess of 40 hours in any one week shall not calculate such overtime by using the fluctuating workweek method of overtime payment. The fluctuating workweek is used for salaried employees, who, regardless of how many hours they work per week, including on a holiday or Sunday, are eligible for overtime at the half-time rate for all hours in excess of 40 hours in the workweek. Therefore, in any workweek in which an employee of a retail business is employed on a Sunday or a holiday at a rate of 1½ times the regular rate at which he or she is employed, the hours worked on the Sunday or holiday shall be excluded from the calculation of overtime pay.

### South Carolina

*Human trafficking.* The State General Assembly amended the criminal code to bring human trafficking into the realm of the most serious offenses prosecuted by the State. Trafficking in humans is now a violent crime, as well as a class A felony punishable by up to 30 years in the State prison. Also, human trafficking is now an aggravating factor when a murder is committed during the trafficking. Similarly, trafficking the victim is an aggravating factor when the victim is also a victim of criminal sexual conduct by the trafficker. Criminal sexual battery in the first degree is committed when the victim submits to the sexual battery while also a victim of human trafficking. Human traffickers must register as sex offenders, unless a specific finding is made, on the record, by the judge, noting that the offense did not include a criminal sexual offense or an attempted criminal sexual offense. Furthermore, sex offenders who also are convicted of human trafficking in persons under 18 years must not reside within 1,000 feet of a school, daycare center, children's recreational facility, park, or public playground and must submit to 24-hour electronic monitoring. Administering, distributing, dispensing, or at-

tempting or conspiring to deliver a controlled substance, such as gamma hydroxyl butyrate, to a person with the intent of trafficking that person is unlawful.

*Inmate labor.* The State legislature enacted legislation that alters the deduction schedule for compensation for inmates in community or prison industry programs. If the inmate works in paid employment in the community, 5 percent of his or her wages must be deposited with the State treasurer in a special account to support victim assistance programs and 15 percent must be retained by the State Department of Corrections to support services provided to victims of inmates. If the inmate works in a prison industry program, 10 percent of his or her wages must be used in training, program development, victim compensation, and general administrative support for the State Office of Victim Assistance and 10 percent must be retained by the department to support services provided to victims of prisoners.

The State General Assembly now requires that the calculation of the average weekly wage for inmates who work in a federally approved Prison Industry Enhancement Certification Program be based upon the inmate's actual net earnings after any statutory deductions.

*Other legislation.* The State Code requirements related to the posting of certain employment notices in the workplace were amended. Under the new requirements, every employer shall keep posted, in a conspicuous place, a printed notice stating the provisions of the law pertaining to the employment of adult persons and children and to the regulation of hours worked and working conditions.

### Tennessee

*Drug and alcohol testing.* The portion of the State Code Annotated relative to motor carriers was amended. Henceforth, each for-hire motor carrier providing passenger transportation service to eight or more individuals shall, at a minimum, (1) maintain a policy of liability insurance in the amount of not less than \$1,000,000 to make compensation for injury to persons and for loss or damage to property resulting from the negligent operation by the driver; (2) conduct a program of mandatory random drug testing for the operators of its motor vehicles in accordance with regulations promulgated by the U.S. Department of Transportation; (3) require the operators of its motor vehicles to submit to a physical examination every 2 years; and (4) subject each provider to an annual safety examination compliance review conducted by the State Department of Safety. The review shall include (a) proof of insurance or

self-insured status, (b) documents relating to employee random drug testing, (c) documents specifying the results of physical examinations of employees, and (d) vehicle maintenance records. The State commissioner of safety is authorized to establish rules and regulations that comply with those of the State Uniform Administrative Procedures Act.

*Equal employment opportunity.* The State Code Annotated was amended to indicate that it is not considered a discriminatory practice for an employer to institute a policy in the workplace requiring that all employees speak only English at certain times when the employer has a legitimate business necessity for such a policy, including, but not limited to, times requiring the safe and efficient operation of the employer's business. Further, the employer must provide notice of the policy to employees, as well as of the circumstances in which English is expected to be spoken and the consequences of violating the policy.

*Time off.* The State legislature amended the portion of the State Code Annotated relating to employment practices. The amended code stipulates that no employer shall terminate an employee who is a volunteer rescue squad worker because the employee is absent or late to his or her regular employment in order to respond to an emergency prior to the time the employee is to report to the place of employment. An employer may charge the time lost from employment because of the response to the emergency against the employee's regular pay. An employer has the right to request a written statement from the supervisor of the volunteer rescue squad stating that the employee responded to an emergency and including the time and date of the emergency. It is incumbent upon the employee to notify the employer that the employee may be absent or late. Any employee terminated in violation of this legislation may bring a civil action against the employer, seeking reinstatement to the employee's former position, payment of back wages, and reinstatement of fringe benefits and seniority rights. The employee has 1 year from the date of the violation to file the action.

*Wages paid.* The portion of the State Code Annotated relating to payments to employees by employers was amended. The payment of wages is now permitted to be carried out by two additional methods: by an electronic automated fund transfer in lawful money of the United States and by means of a credit to a prepaid debit card issued through a network system from which the employee is able to withdraw or transfer funds subject to certain limitations. Employers who choose to compensate their employees by prepaid debit cards also shall give the employees the choice of be-

ing paid by electronic transfer. Any employer that pays its employees by a prepaid debit card shall ensure that each employee shall have the capability of making at least one withdrawal or transfer from the prepaid debit card per pay period without cost to the employee for any amount contained on the card.

*Worker privacy.* Legislation was enacted with provisions that disallow the discharge or other types of disciplinary action of State Department of Correction employees solely on the basis of failing a polygraph examination or for refusing to take a polygraph examination.

*Workplace violence.* The State commissioner of education, in collaboration with the State-level school safety team, is now charged with developing guidelines and training for all public school administrators and human resource personnel regarding the prevention of workplace violence. Such guidelines and training shall include outlines and related materials for use in the delivery of inservice training activities for teachers and other school personnel, as well as materials and training aimed at recognizing and responding to employee alcohol and substance abuse.

## Utah

*Drug and alcohol testing.* If an employer tests an employee or a prospective employee for the presence of drugs or alcohol as a condition of hiring or continued employment, the employer is protected from liability if it is in compliance with the State statutory requirement concerning drug and alcohol testing. Employers and managers also shall submit to testing on a periodic basis. An organization that operates a storage or transfer facility engaged in the transportation of high-level nuclear waste, or radioactive waste greater than class C, within the exterior boundaries of the State shall establish a mandatory drug and alcohol testing program for prospective and existing employees as a condition of the hiring or continued employment of any employee. The executive director of the State Department of Environmental Quality, in consultation with the State Labor Commission, shall establish time and dosage standards for testing for impairment by the drug and alcohol testing program. Before a positive test result may be used as a basis for an action by an employer, the result must be confirmed by another test. An employer may use a test result or a refusal to be tested as the basis for disciplinary or rehabilitative action against an employee. Such action may include a requirement that the employee enroll in an employer-approved rehabilitation program or treatment or counseling program that may in turn require additional drug or alcohol testing as a condition

of continued employment. Other penalties for a failed test include suspension of the employee with or without pay for a specified period, termination of employment, refusal to hire a prospective employee, and additional disciplinary measures in conformance with the employer's usual procedures, including the provisions of any collective bargaining agreement. If the employer is in compliance with the establishment of a drug-testing program proposed by the legislation, then a cause of action may not arise in favor of an employee, unless the employer takes action on the basis of an inaccurate test result.

The legislature modified the State Procurement Code in order to address requirements for drug and alcohol testing for State construction contracts. The new legislation adds definitions of "contractor," "covered individual," and "subcontractor." A contractor is a person who is or may be awarded a State construction contract. A covered individual is an individual (a) who, on behalf of a contractor or subcontractor, provides a service directly related to design or construction under a State construction contract and (b) who is in a safety-sensitive position. A subcontractor is a person under contract with a contractor or another subcontractor to provide services or labor for design or construction. A supplier who only furnishes materials, equipment, or other supplies to a contractor or subcontractor is not considered a subcontractor. A State procurement unit may not enter into a State construction contract unless the contract requires that (a) during the construction project, the contractor maintain a drug and alcohol testing policy that applies to the covered individuals hired by the contractor; (b) a notice asserting that the contractor has a drug and alcohol testing policy be posted to covered individuals hired by the contractor; and (c) the covered individuals be subject to random drug and alcohol testing. Failure to comply with the new drug and alcohol policy may result in suspension or debarment for the contractor or subcontractor. Failure of a contractor or subcontractor to satisfy the new requirements cannot be a basis for a protest or other action from a prospective bidder, one who makes an offer, or another contractor under other parts of the code. The legislation does not require that, once a procurement contract is initiated, the State audit, monitor, or take any further action to ensure compliance with the drug and alcohol policy.

*Human trafficking.* The State Criminal Code pertaining to charging the offenses of human trafficking or human smuggling was amended. The code now specifies that a person commits a separate offense of human trafficking or human smuggling for each person who is smuggled or trafficked as defined under current State law.

*Immigration legislation.* Legislation was enacted as part of the State Private Employer Verification Act. Private employers shall now comply with the requirements of the legislation without regard to race, color, national origin, gender, religion, age, disability, familial status, or source of income. A private employer who employs 15 or more employees as of July 1, 2010, may not hire a new employee on or after that date unless the employer is registered with and uses a status verification system to verify the Federal legal working status of any new employee, in accordance with the requirements of the system. This requirement is not applicable to a private employer of a foreign national if the foreign national holds an H-2A or H-2B visa issued in response to a petition by the employer. If a private employer makes use of the verification system, the employer may not be held civilly liable under State law for unlawfully hiring an unauthorized alien if the information obtained from the system did not prohibit the employer from hiring the employee. In addition, a private employer may not be held civilly liable under State law in a cause of action for the employer's refusal to hire an individual if the information obtained from the status verification system indicated that the individual's Federal legal status was that of an unauthorized alien as defined under U.S. Code, Section 1324a. The State Department of Commerce shall electronically publish a list of private employers who register with the agency. The list shall appear on a Web site that is accessible to the general public without a charge.

Legislation was enacted that complemented general government provisions which address identity documents and verification of the lawful presence of workers by the State Department of Commerce. The Federal program referred to in the legislation is the Systematic Alien Verification for Entitlements Program operated by the U.S. Department of Homeland Security. With the exception of provisions within State law, or when exempted by Federal law, an agency or a political subdivision of the State shall verify the lawful presence in the United States of an individual at least 18 years of age, without regard to race, religion, gender, ethnicity, or natural origin, who applies for a State or local public benefit or for a Federal public benefit that is administered by the agency or political subdivision. An applicant for a license issued by the State Department of Commerce is viable if the applicant provides a certification that he or she is (1) a U.S. citizen, (2) a qualified alien, or (3) an individual who is lawfully present in the United States and possesses a valid driver's license issued by the State or any other State. The State Department of Commerce is exempt from providing the verification if these requirements are met. An individual who knowingly and willfully makes a false, ficti-

tious, or fraudulent statement or representation in a certification is subject to the criminal penalties applicable in the State. If the false claim is related to U.S. citizenship, the agency or political subdivision shall file a complaint with the U.S. Attorney General for the applicable district.

*Workers with disabilities.* The State Personnel Management Act was amended to change the provisions relating to employment programs for people with disabilities. The amending legislation provides that the competitive career service schedule include positions filled through an on-the-job examination intended to appoint a qualified person with a disability. The legislation grants the executive director of the State Department of Human Resource Management rulemaking authority to establish an on-the-job examination approved by the department, and the director shall allocate positions to the hiring schedules that are appropriate for those positions.

## Vermont

*Agriculture.* Legislation was enacted that establishes rules describing how farm employers must evict former farm employees from employer-provided housing. The bill mandates that certain statements be included in the notice of termination of housing and that the notice be in writing. The State General Assembly recommends that such notices be provided in the farm employee's native language. A law enforcement officer must serve the notice along with a summons and a complaint. After these papers are served on the former employee, a hearing will be held in which the employer can request a court order ordering the former employee and any family or household members to vacate the dwelling. The employer must demonstrate, however, that a replacement employee needs the dwelling and that the former employee's refusal to vacate is causing an actual hardship on the employer. Nothing in the legislation prevents the former employee from pursuing a counterclaim for harm caused by the employer. Filing a counterclaim, however, will not delay or stop the court from ordering the employee to vacate the dwelling.

*Independent contractor.* Legislation was enacted amending laws governing employee misclassification. The State Department of Labor has been ordered to hire workers' compensation fraud investigators; the new investigators will be funded, in part, by an increase of 0.055 percent in workers' compensation premiums paid by employers. If, after a hearing, the State commissioner of labor determines that an employer has failed to comply with workers' compensation provisions, the employer shall be assessed

a penalty of not more than \$100 for the first 7 days of noncompliance and not more than \$150 for every day thereafter. Further, the commissioner must issue a stop-work order against the employer until the employer has obtained workers' compensation insurance. When the order is issued, the commissioner must post a notice in a conspicuous place on the worksite, informing employees of the reason for the stop-work order and notifying them that the worksite will be shut down until the employer complies with the worker's compensation requirements. After the stop-work order is issued, the employer must be charged a penalty of \$250 for every day that the employer fails to secure workers' compensation insurance. The stop-work order will be lifted as soon as the employer comes into compliance with the insurance requirements. Employers who are issued a stop-work order, who willfully make false or misleading statements or representations in an attempt to gain a benefit for themselves or another, or who willfully make false or misleading statements that result in a lower workers' compensation premium will be debarred from contracting with the State or any of its subdivisions for 3 years. Violation of a stop-work order can result in a civil penalty of not more than \$5,000 for a first violation and not more than \$10,000, along with a criminal fine of up to \$10,000 and imprisonment of no more than 180 days for subsequent violations. In addition to incurring debarment, an employer may be assessed \$20,000 for willfully making a false or misleading statement. Any penalties assessed carry through to successor employers or companies. The State Department of Labor is required to set up an online employee misclassification reporting system. Employers who do not file a required coverage report are subject to a \$100 penalty for each missed report. Employers who misclassify individuals' employment status shall be subject to a fine of up to \$5,000 and face contract debarment.

*Wages paid.* Employers may now compensate employees by directly or indirectly crediting a payroll card account established by an employer in a federally insured depository institution to which electronic fund transfers of the employee's wages, salary, or other employee compensation are made on a recurring basis. In order to do so, the employer must provide the employee written disclosure, in the employee's primary language or another language understood by the employee, of (1) all of the employee's wage payment options and (2) the terms and conditions of the payroll card account option, including a complete list of all known fees that the employer or the card issuer may deduct from the employee's payroll card account and an indication of whether third parties may assess fees in addition to the fees assessed by the employer or issuer. The employer also must ensure that

the payroll card account provides that, during each pay period, the employee has at least three free withdrawals from the payroll card, one of which permits withdrawal of the full amount of the balance at a federally insured depository institution or other location convenient to the place of employment. The employee must voluntarily consent in writing to the payment of wages by payroll card account.

## Virginia

*Drug and alcohol testing.* A licensed home care organization or any home care organization that is exempt from licensure under Commonwealth law shall establish policies for maintaining a drug-free workplace. Such policies may include drug testing when the employer has cause to believe that the person has engaged in the use of illegal drugs periodically during the course of his or her employment. All positive results from any drug testing administered shall be reported to the health regulatory boards responsible for licensing, certifying, or registering the person to practice, if any.

*Equal employment opportunity.* An executive order was enacted that would prohibit discrimination on the basis of race, sex, color, national origin, religion, age, or political affiliation, or against otherwise qualified persons with disabilities. The policy permits appropriate employment preferences for veterans and specifically prohibits discrimination against veterans as contemplated by Commonwealth and Federal law. The order directs appointing authorities and managers in the Commonwealth to take appropriate measures in recruiting and appointing qualified minorities, veterans, women, persons with disabilities, and older Commonwealth residents to serve at all levels of Commonwealth government, without lowering job requirements, performance standards, or qualifications, in such manner as to give preference to any Commonwealth employee or applicant for Commonwealth employment. Any Commonwealth employee found in violation of this policy will be subject to disciplinary action.

*Immigration legislation.* The legislature enacted a change to the Commonwealth Code by adding a chapter which specifies that all agencies of the Commonwealth shall be enrolled in the Federal E-Verify program and must use the program for each newly hired employee who is to perform work within the Commonwealth.

*Inmate labor.* Legislation that amended Commonwealth statutes now permit persons sentenced to any prison within the jurisdiction of the Commonwealth Department of

Corrections to be employed in the construction and maintenance of the Commonwealth highway system and the secondary system of Commonwealth highways. Such individuals may be used in rock quarries, gravel pits, and other roadway materials plants in the preparation of materials for the construction and maintenance of roads and in the maintenance of any or all medians and other nontraveled portions of such highways. The Commonwealth Transportation Board shall requisition the director of the Commonwealth Department of Corrections from time to time for the number of prisoners it deems necessary for a project, and the number of prisoners requisitioned shall be furnished subject to availability. At a minimum of 15 days prior to a prisoner's participation in the work program, notice of the prisoner's participation shall be given to the chief of police, the sheriff, or the local chief law enforcement official of the locality in which the prisoner will work. The notice shall include the name, address, and criminal history of the prisoner and any other information the officer may request. The transmission of information shall be confidential and not subject to the regulations set forth in the Commonwealth Freedom of Information Act.

The Commonwealth Code was amended in order to permit inmates to work on additional types of property while they are confined in jail. The circuit court of any county or city within the State may now allow persons confined in the jail who are either awaiting disposition of their cases or serving sentences to work on (1) county, city, or town property; (2) any property owned by a nonprofit organization and that is exempt from taxation; (3) private property utilized by a nonprofit organization; or (4) any private property that meets the nonprofit ordinance for the municipality in which it is located. The prisoners performing work may receive credit on their sentences for the work done, whether such sentences are imposed prior or subsequent to the work done. The court may require persons convicted of a felony to work on county, city, or town property for credit toward their sentence.

*Worker privacy.* Amending legislation now makes it unlawful for any person whose intent is to coerce, intimidate, or harass another person to publish that other person's name or photograph along with identifying information, such as the address of their primary residence. The person who violates this law is guilty of a class 1 misdemeanor. If the person violates the law knowing or having reason to know that the personal identity information published is that of a law enforcement officer, then the person who causes the information to be published is guilty of a class 6 felony with a mandatory minimum sentence of 6

months' confinement. The Commonwealth shall not publish the personal information of any law enforcement officer on the Internet if a court has ordered that the officer's personal information is prohibited from publication and the officer has made a demand, in writing, to the Commonwealth, accompanied by the court order. Any law enforcement officer may petition a circuit court for such an order, and the court can issue the order if the officer can demonstrate a reasonable fear of a risk to his or her safety or to the safety of someone who resides with that officer. If the Commonwealth publishes the officer's personal information on the Internet prior to the receipt of a written demand, the information shall be removed from the Internet within 48 hours of receipt of the written demand, which is effective for 4 years, provided that the officer remains continuously employed as a law enforcement officer throughout the 4-year period.

Legislation was enacted that amends the Commonwealth Freedom of Information Act concerning the transference of custody of public records to entities other than the originating public body. The public body transferring the records retains custodial duties for purposes of responding to requests for the records. In the event that the transferor public body no longer exists, the entity in possession of the public records will be deemed the custodian of the records for purposes of honoring requests.

## Washington

*Equal employment opportunity.* A new section prohibiting discrimination on the basis of the use of a trained guide dog or service animal by a person with a disability was added to existing legislation prohibiting discrimination in State public schools on the basis of race; creed; religion; color; national origin; honorable discharge from military service; military status; sexual orientation, including gender expression or identity; or the presence of any sensory, mental, or physical disability. The superintendent of public instruction shall develop rules and guidelines to eliminate discrimination and monitor local school districts' compliance with established guidelines. The superintendent also may terminate all or part of State apportionment monies or categorical monies allocated to the offending school district, may terminate specific programs in which violations may be flagrant within offending school districts, and may place the offending school district on probation with appropriate sanctions until compliance is achieved.

*Human trafficking.* Under a new requirement contained in amending legislation, domestic employers of foreign workers (that is, persons

who hold a nonimmigrant visa for temporary visitors) and international labor recruitment agencies must provide a disclosure statement to those foreign workers who, respectively, have been hired by or referred to a State employer. The statement must be in English, or in some other language that is understood by the worker if he or she is not fluent or literate in English. In addition, the statement must indicate that the worker may be subject to State and Federal laws governing overtime and work hours, including the current minimum-wage rate as well as health and safety laws. Employers must itemize any deductions they intend to take from the worker's pay for food and housing, and international labor recruitment agencies must provide an itemized listing of their fees. Employers must provide a listing of their services or a hot line that workers may contact if they think that they may be a victim of trafficking. Further, employers must let their workers know that the workers have the right to control their travel and labor documents, including their visas, at all times. Finally, employers may not require their employees to surrender their legal documents while they are working in the United States, except as otherwise required by law or regulation. A disclosure form is presumed to have been provided in an informational pamphlet to each employee in compliance with the William Wilberforce Trafficking Victims Protection Reauthorization Act. Any international labor recruitment agency or domestic employer found to be in noncompliance becomes liable to the affected foreign worker in a civil action by the worker. The court shall award an amount between \$200 and \$500, or actual damages, whichever is greater, along with court costs and attorneys' fees, to a foreign worker who prevails in such an action. The State Department of Labor and Industries shall integrate what it deems appropriate information about assisting victims of human trafficking into posters and brochures, which shall include the toll-free telephone numbers of the National Human Trafficking Resource Center and the State Office of Crime Victims Advocacy.

*Time off.* The State enacted legislation to protect the jobs of members of the Civil Air Patrol when they are acting in an emergency operation. The legislation prohibits employers from discharging a patrol member from employment, or from taking disciplinary action against a patrol member, because of leave taken to participate in an emergency service operation. An emergency service operation is defined as (1) a search-and-rescue mission, (2) a disaster relief operation, (3) the rendering of humanitarian services, (4) a U.S. Air Force support operation, or (5) a counterdrug mission. A patrol member who believes that he or she was discharged or disciplined in

violation of the State Revised Code may file a complaint with the director of the State Department of Labor and Industries. A violation may be alleged only if the complaint is filed within 90 days of the alleged violation.

*Wages paid.* Legislative changes to the State Revised Code expanded the list of terms defined in the code, extended the time required to conduct investigations and calculate back wages and interest owed by an employer to an employee, adjusted the tolling of the statute of limitations for civil actions brought by an employee during an investigation by the State Department of Labor and Industries, and delineated successor liability for businesses sold or otherwise conveyed to another. The term "repeat willful violator" is defined as "any employer that has been the subject of a final and binding citation and notice of assessment for a willful violation of a wage payment requirement within 3 years of the date of issue of the most recent citation and notice of assessment for a willful violation of a wage payment requirement." The term "successor" denotes any person to whom an employer that is quitting, selling out, exchanging, or disposing of a business conveys more than 50 percent of the property of the employer's business, where the transaction is not carried out in the ordinary course of the employer's business. The State Department of Labor and Industries may extend the duration of an investigation for good cause by providing written notice to the employee and employer. Finally, the statute of limitations is now tolled during the department's wage complaint investigation of an employer. The investigation begins on the date the employee files the complaint and ends when (a) the complaint is determined through a final and binding citation and notice of assessment or determination of compliance; (b) the department notifies the employer and employee, in writing, that the complaint has otherwise been resolved; or (c) the employee elects to end the department's investigation. The code now mandates that any person who purchases, exchanges, or otherwise acquires an employer's business becomes the successor to that employer and is liable for the full amount of any outstanding citations, notices of assessment, and penalty notices when certain criteria are met. If an employer does not pay the notice of assessment or penalty within 10 days of the date of conveyance, the successor becomes liable for payment.

*Worker privacy.* Amending legislation was enacted that relates to the disclosure of public records containing information used to locate or identify employees of criminal justice agencies. The State Revised Code now states that the personal information which can be

used to locate employees of criminal justice agencies, such as photographs, day and month of birth, residential addresses, and personal telephone numbers, shall be exempt from public disclosure. A "criminal justice agency" is defined as a court or a government agency that performs the administration of criminal justice pursuant to a statute or an executive order and that allocates a substantial part of its annual budget to the administration of criminal justice.

## West Virginia

*Immigration legislation.* Any employer who knowingly violates the provision of the legislation that amended the State Code by employing, hiring, recruiting, or referring an unauthorized worker is now guilty of a misdemeanor. Upon conviction, such an employer is subject to the following penalties: (1) for a first offense, a fine of not less than \$100 or more than \$1,000 for each violation; (2) for a second offense, a fine of not less than \$500 or more than \$5,000 for each violation; and (3) for a third or subsequent offense, a fine of not less than \$1,000 or more than \$10,000, or confinement in jail for not less than 30 days or more than 1 year, or both. In addition, any employer who knowingly and willfully provides false records about the legal status or authorization to work of any employee is guilty of a misdemeanor and, upon conviction, shall be confined in jail for not more than 1 year or fined not more than \$2,500, or both. Any employer who knowingly, willfully, and with fraudulent intent sells, transfers, or otherwise disposes of substantially all of its assets for the purpose of evading the recordkeeping requirements pertaining to employees is guilty of a misdemeanor and, upon conviction, shall be confined in jail for not more than 1 year or fined not more than \$10,000, or both. Any employer who knowingly and willfully fails to maintain records as required is guilty of a misdemeanor and, upon conviction, shall be fined \$100 dollars for each offense. The employer's failure to keep records on each employee constitutes a separate offense. If, after the time allowed, the employer is unable to produce the necessary documents that comply with employment status verification requirements, notice shall be given to the employer outlining the alleged violations and presented to a magistrate or circuit judge in the county in which the violation occurred.

*Other legislation.* Any person who operates a professional employer organization without a license is subject to all of the injunctive, criminal, civil, and administrative relief penalties provided in State law for the unauthorized transaction of insurance. The insurance fraud unit created by the State may investigate suspected violations as well.



## Wisconsin

*Child labor.* Legislation was enacted that allows nonprofit organizations to employ a minor 12 years or older to work in and around the home of an elderly person or a person with a disability if all of the following apply: (1) the work is not performed in connection with, or is not a part of, the business, profession, or trade of the elderly or disabled person; (2) the type of employment is not specifically prohibited by an order of the State Department of Workforce Development; (3) the minor is paid the applicable minimum wage under the State or Federal law, whichever is greater, for the work; and (4) the minor's parent or guardian provides the nonprofit organization with written consent for the minor to perform the work. The bill also permits a minor 12 years or older who satisfies the preceding requirements to be employed without a work permit by a nonprofit organization in and around the home of an elderly or disabled person in work usual to the home of the person.

*Employment agency.* The State defines a professional employer organization as an organization that is engaged in the business of entering into written contracts for the provision of the nontemporary, ongoing employee workforce of a client. The definition excludes a temporary help agency or company. In order to be approved as a professional employer organization, an applicant organization must submit a financial statement that sets forth the financial conditions of the applicant, that is not more than 13 months old, and that precedes the date of the application. The statement must be prepared in accordance with generally accepted accounting principles, must have been audited by an independent certified public accountant, and shall, without qualification, affirm that the applicant organization is a going concern. A professional employer group may meet the requirements for certification by submitting a combined or consolidated audited financial statement. An applicant whose operating history is insufficient to produce an audited financial statement based on at least 12 months of operation may meet the requirement by submitting financial statements that have been reviewed by an independent certified public accountant. A professional employer organization that is not domiciled in the State and does not maintain an office in the State or that directly solicits clients from the State and has no more than 50 employees performing services for clients may apply for small-operations registration. A list of all professional employer organizations shall be maintained and updated, and the department shall make the list available on the departmental Internet Web site listing the address of each registrant.

*Equal employment opportunity.* The State added to the list of discriminatory actions that are prohibited to employers in their dealings with employees. Discrimination is prohibited against an employee who declines to attend an employer-sponsored meeting or to participate in any communication with the employer or with an agent, representative, or designee of the employer, where the primary purpose of the meeting or communication is to convey the opinion of the employer about religious or political matters. However, an employer that refuses to hire or employ an individual, that suspends or terminates the employment of an individual, or that fails to promote or appropriately compensate an individual in the terms, conditions, or privileges of employment because the individual declines to attend a meeting or to participate in a communication may not be charged with employment discrimination if any of the following applies: (1) the employer is a religious association that is not organized for private profit or is an organization or corporation that is owned or controlled primarily by such a religious association, and the primary purpose of the meeting or communication is to communicate the employer's religious beliefs, tenets, or practices; (2) the employer is a political organization, including a political party or any other organization that engages, in substantial part, in political activities, and the primary purpose of the meeting or communication is to communicate the employer's political tenets or purposes; and (3) the primary purpose of the meeting or communication is to communicate information about religious or political matters that the employer is required by law to communicate, and no information is communicated about those matters beyond that which is legally required.

*Independent contractor.* Legislation was passed amending several statutes concerning tax withholding, workers' compensation, unemployment insurance, and employee discrimination misclassifying employees as nonemployees. The State statute now includes, in the definition of employer, "a person engaged in the painting or drywall finishing of buildings or other structures." In addition, the legislation imposes fines on painting and drywall construction trade employers that are already levied against other employers who misclassify employees. Civil monetary penalties of up to \$25,000 per violation will now be levied against employers who willfully misclassify with the intent to evade compliance with the statute.

The State legislature enacted legislation that added a new section to the State's employee classification laws. The new statute requires employers to maintain (1) records of all people working for the employer; (2) workers' compensation coverage for their

employees; and (3) records of hours worked by their employees, wages paid to those employees, and any deductions the employers make. In addition to placing mandates on businesses, the State Department of Regulations and Licensing is now required to (1) educate employers, employees, nonemployee staff, and the public about the proper classification of persons working for an employer; (2) receive and investigate complaints (or initiate investigations) alleging violations of employee classification as nonemployees; (3) order employers who are in violation of the statute to stop work and pay a fine; and (4) refer complaints of misclassification of employees as nonemployees to other State and local agencies that administer laws related to the proper classification of employees. In conducting investigations, the department may enter and inspect any place of business or employment and examine and copy all records that the employer is required to keep, including any books, registers, payroll records, records of wage withholdings, records of work activity and hours of work, records or indicia of the employment status of persons performing work for the employer, and any other records relating to compliance with employee classification. The department also may interview and obtain written statements from any employer or person present at any location where services for the employer are performed. If an investigation reveals that an employer is noncompliant with the amended statute, the department may serve a notice of a stop-work order to the employer for all noncompliant locations. After 3 days have passed since the service of the notice, the department may issue a stop-work order for the locations named in the notice if the employer has not demonstrated or does not demonstrate compliance. Employers who are in violation of the stop-work order may be required to forfeit \$250 a day for every day they are in violation, until they become compliant with the statute.

*Other legislation.* Any person who is not a civil service employee and who appears before the State Employment Relations Commission shall receive, for his or her attendance, the fees and mileage provided for witnesses in civil actions in courts of record. Upon the presentation of properly verified vouchers approved by the commission and charged to the proper appropriation for the commission, fees and mileage shall be audited and paid by the State in the same manner as other expenses are audited and paid. No witness subpoenaed at the insistence of a party other than the commission is entitled to compensation from the State for attendance or travel, unless the commission certifies that his or her testimony was relevant and material to the matter. Records of the director of the State Employment

Relations Commission shall be open to public inspection, and those records which are confidential shall be kept confidential.

*Plant closing.* If a local workforce development board anticipates a business closing or mass lay-off in the area served by that board, the board may prepare a list of resources available in that area which provide career planning, job searches, job skills training, and other support services for affected employees. Included in the list may be contact information for those resources and for distribution to the affected employees. An employer that has decided upon a business closing or mass layoff shall notify the affected parties, including employees, no later than 60 days prior to the date on which the closing or mass layoff takes place. The notice to affected employees

shall include contact information for the local workforce development board and, if available, the list of resources provided by the board. In addition, the employer may be required to provide a written plan setting forth the manner in which final payment in full shall be made to the affected employees. Included in the plan may be information about the employer's payroll and about the wages and other remuneration owed to the affected employees.

*Worker privacy.* The State Division of Motor Vehicles employer notification program was amended. The definition of "employee" now includes any person whose employment responsibilities involve operating a motor vehicle, not just commercial drivers. Employers are now permitted to pre-enroll their employ-

ees in the program and receive automatic notification of a conviction or withdrawal.

The State has incorporated and amended many of the provisions relating to HIV testing and to professional behavior and liabilities relating to such testing. It is now illegal to solicit or require an HIV test as a condition of employment of any employee or prospective employee, nor can the employer or prospective employer use the results of a test for the presence of HIV, antigens or nonantigenic products of HIV, or any antibody to HIV as a condition of employment. It is now a prohibited activity to enter into an agreement between an employer or agent of the employer and an employee or a prospective employee, offering employment or any pay or benefit to the employee or prospective employee in return for taking an HIV test. □

**Exhibit 1. Legislation enacted, Senate and House of Representatives, by category and number of bill, Dec. 1, 2009, through Sept. 30, 2010**

State	Agriculture	Child labor	State Department of Labor	Discharge of employee	Drug and alcohol testing	Equal employment opportunity	Employment agency
Alabama.....	-	-	-	-	-	-	-
Alaska.....	-	-	-	-	-	-	-
Arizona.....	-	-	-	-	S1076	-	-
Arkansas.....	-	-	-	-	-	-	-
California.....	A702	-	-	-	-	A1814	-
Colorado.....	-	-	H1417	-	-	-	-
Connecticut.....	-	-	-	-	-	-	-
Delaware.....	-	-	-	S306	H190, S122	-	-
District of Columbia.....	-	-	-	-	-	-	-
Florida.....	S1150	-	-	-	-	-	-
Georgia.....	-	-	-	-	-	-	-
Hawaii.....	-	-	-	-	-	-	-
Idaho.....	-	-	-	-	-	-	-
Illinois.....	-	H6014	-	-	-	-	-
Indiana.....	-	-	-	-	-	-	-
Iowa.....	-	-	-	-	-	-	-
Kansas.....	-	-	-	-	-	-	-
Kentucky.....	-	-	-	-	-	-	-
Louisiana.....	H484	-	-	-	-	-	H1199
Maine.....	-	-	-	-	-	-	-
Maryland.....	-	-	H404	-	-	-	-
Massachusetts.....	-	-	-	-	-	-	-
Michigan.....	H5657	-	-	-	-	H4327	-
Minnesota.....	-	-	-	-	-	-	-
Mississippi.....	-	-	-	-	-	-	-
Missouri.....	-	H1892	-	-	H1543	-	-
Montana.....	-	-	-	-	-	-	-
Nebraska.....	-	-	-	-	-	-	-
Nevada.....	-	-	-	-	-	-	-
New Hampshire.....	-	-	-	-	-	-	-
New Jersey.....	-	-	-	-	S2493	A4226	-
New Mexico.....	-	-	-	-	-	-	-
New York.....	-	-	-	-	-	E020	-
North Carolina.....	-	-	-	-	-	-	-
North Dakota.....	-	-	-	-	-	-	-
Ohio.....	-	-	-	-	-	-	-
Oklahoma.....	-	-	-	-	-	S1814, S1891	-
Oregon.....	-	-	-	-	-	H3686a	-
Pennsylvania.....	-	-	-	-	-	-	-
Rhode Island.....	-	H7047, S2996	-	-	-	-	-
South Carolina.....	-	-	-	-	-	-	-
South Dakota.....	-	-	-	-	-	-	-
Tennessee.....	-	-	-	-	H3025	H2685	-
Texas.....	-	-	-	-	-	-	-
Utah.....	-	-	-	-	H23, S13	-	-
Vermont.....	H680	-	-	-	-	-	-
Virginia.....	-	-	-	-	H708	E06	-
Washington.....	-	-	-	-	-	H3026	-
West Virginia.....	-	-	-	-	-	-	-
Wisconsin.....	-	S349	-	-	-	S585	S504
Wyoming.....	-	-	-	-	-	-	-
Guam.....	-	-	-	-	-	-	-
Puerto Rico.....	-	-	-	-	-	-	-
Virgin Island.....	-	-	-	-	-	-	-
Total.....	5	5	2	1	9	11	2

See note at end of table.

<b>Exhibit 1. Continued—Legislation enacted, Senate and House of Representatives, by category and number of bill, Dec. 1, 2009, through Sept. 30, 2010</b>							
<b>State</b>	<b>Employee leasing</b>	<b>Family leave issues</b>	<b>Garment activity</b>	<b>Genetic testing</b>	<b>Hours worked</b>	<b>Human trafficking</b>	<b>Immigration legislation</b>
Alabama.....	-	-	-	-	-	H432	S145
Alaska.....	-	-	-	-	-	-	-
Arizona.....	H2477	-	-	-	-	S1059	-
Arkansas.....	-	-	-	-	-	-	-
California.....	-	-	-	-	-	S677	-
Colorado.....	-	-	-	-	-	-	-
Connecticut.....	-	-	-	-	-	-	-
Delaware.....	-	-	-	-	-	-	-
District of Columbia.....	-	-	-	-	-	-	-
Florida.....	S2046	-	-	-	-	-	-
Georgia.....	-	-	-	-	-	-	S447
Hawaii.....	-	-	-	-	-	-	H2897
Idaho.....	-	-	-	-	-	-	-
Illinois.....	H5247	S3818	-	-	-	H6462	-
Indiana.....	-	-	-	-	-	-	-
Iowa.....	-	-	-	S2215	-	-	-
Kansas.....	-	-	-	-	-	S353	-
Kentucky.....	-	-	-	-	-	-	-
Louisiana.....	-	-	-	-	-	H825, S56	-
Maine.....	-	-	-	-	-	-	S593
Maryland.....	-	-	-	-	-	-	-
Massachusetts.....	-	-	-	-	-	-	-
Michigan.....	-	-	-	-	-	-	-
Minnesota.....	-	-	-	-	-	-	-
Mississippi.....	-	-	-	-	-	-	-
Missouri.....	-	-	-	-	-	-	-
Montana.....	-	-	-	-	-	-	-
Nebraska.....	-	-	-	-	-	-	-
Nevada.....	-	-	-	-	-	-	-
New Hampshire.....	-	-	-	-	-	-	H1219
New Jersey.....	S2773	S3065	A4232	-	-	-	-
New Mexico.....	-	-	-	-	-	-	-
New York.....	-	-	-	-	A1470	-	-
North Carolina.....	-	-	-	-	-	-	-
North Dakota.....	-	-	-	-	-	-	-
Ohio.....	-	H48	-	-	-	-	-
Oklahoma.....	-	-	-	-	-	S2258	S1699
Oregon.....	-	-	-	-	-	-	-
Pennsylvania.....	-	-	-	-	-	-	-
Rhode Island.....	-	-	-	-	-	-	-
South Carolina.....	-	-	-	-	-	H4202	-
South Dakota.....	-	-	-	-	-	-	-
Tennessee.....	-	-	-	-	-	-	-
Texas.....	-	-	-	-	-	-	-
Utah.....	-	-	-	-	-	H230	H431,S251
Vermont.....	-	-	-	-	-	-	-
Virginia.....	-	-	-	-	-	-	H737
Washington.....	-	-	-	-	-	S6332	-
West Virginia.....	-	-	-	-	-	-	H3301
Wisconsin.....	-	-	-	-	-	-	-
Wyoming.....	-	-	-	-	-	-	-
Guam.....	-	-	-	-	-	-	-
Puerto Rico.....	-	-	-	-	-	-	-
Virgin Islands.....	-	-	-	-	-	-	-
<b>Total.....</b>	<b>4</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>11</b>	<b>10</b>
See note at end of table.							

**Exhibit 1. Continued—Legislation enacted, Senate and House of Representatives, by category and number of bill, Dec. 1, 2009, through Sept. 30, 2010**

State	Independent contractor	Inmate labor	Living wage (statewide)	Minimum wage and tipped wages	Offsite work	Other legislation	Overtime
Alabama.....	-	-	-	-	-	-	-
Alaska.....	-	-	-	-	-	-	-
Arizona.....	-	-	-	-	-	S1169	-
Arkansas.....	-	-	-	-	-	-	-
California.....	-	-	-	-	-	A222	-
Colorado.....	H1108	-	-	-	-	-	-
Connecticut.....	H5204	-	-	-	-	-	-
Delaware.....	-	-	-	-	-	-	-
District of Columbia.....	-	-	-	-	-	-	-
Florida.....	-	-	-	-	-	-	-
Georgia.....	-	-	-	-	-	-	-
Hawaii.....	-	-	-	-	H2698	-	-
Idaho.....	-	-	-	-	-	-	-
Illinois.....	-	-	-	-	-	S3249	-
Indiana.....	-	-	-	-	-	-	-
Iowa.....	-	-	-	-	-	S2333	-
Kansas.....	-	-	-	-	-	-	-
Kentucky.....	-	-	-	-	-	-	-
Louisiana.....	-	H89	-	-	-	-	-
Maine.....	H1102	H1212	-	-	-	-	-
Maryland.....	-	-	-	-	-	-	-
Massachusetts.....	-	-	-	-	-	-	-
Michigan.....	-	-	-	-	-	-	-
Minnesota.....	-	-	-	-	-	-	-
Mississippi.....	-	-	-	-	-	-	-
Missouri.....	-	-	-	-	-	-	-
Montana.....	-	-	-	-	-	-	-
Nebraska.....	L563	-	-	-	L1081	-	-
Nevada.....	-	-	-	-	-	-	-
New Hampshire.....	EO 2010-3	-	-	S416	-	-	-
New Jersey.....	-	-	-	-	-	A2885, S4	-
New Mexico.....	S207	-	-	-	-	-	-
New York.....	A11555, S5847	A10061	-	-	-	S2956	-
North Carolina.....	-	-	-	-	-	-	-
North Dakota.....	-	-	-	-	-	-	-
Ohio.....	-	-	-	-	-	-	-
Oklahoma.....	-	-	-	-	-	-	-
Oregon.....	-	-	-	-	-	S1045a	-
Pennsylvania.....	-	-	-	-	-	-	-
Rhode Island.....	-	-	-	-	-	H5950, S1054, S2547, H8198	S3027, H7323
South Carolina.....	-	S217, S1303	-	-	-	S929	-
South Dakota.....	-	-	-	-	-	-	-
Tennessee.....	-	-	-	-	-	-	-
Texas.....	-	-	-	-	-	-	-
Utah.....	-	-	-	-	-	-	-
Vermont.....	H647	-	-	-	-	-	-
Virginia.....	-	H543, H757	-	-	-	H406	-
Washington.....	-	-	-	-	-	-	-
West Virginia.....	-	-	-	-	-	H4273	-
Wisconsin.....	S672, S929	-	-	-	-	A560	-
Wyoming.....	-	-	-	-	-	-	-
Guam.....	-	-	-	-	-	-	-
Puerto Rico.....	-	-	-	-	-	-	-
Virgin Islands.....	-	-	-	-	-	-	-
Total.....	11	7	0	1	2	16	2

See note at end of table.

<b>Exhibit 1. Continued—Legislation enacted, Senate and House of Representatives, by category and number of bill, Dec. 1, 2009, through Sept. 30, 2010</b>							
State	Overtime health care	Plant closing	Employers' preferences regarding employees	Prevailing wage	Right to work	Time off from work	Unfair labor practice
Alabama.....	-	-	-	-	-	S128, S91	-
Alaska.....	H50	-	-	-	-	-	-
Arizona.....	-	-	-	-	-	H2539	-
Arkansas.....	-	-	-	-	-	-	-
California.....	-	-	-	-	-	A569, S1304	-
Colorado.....	-	-	-	-	-	-	-
Connecticut.....	-	-	-	-	-	-	-
Delaware.....	-	-	-	-	-	-	-
District of Columbia.....	-	-	-	-	-	R716	-
Florida.....	-	-	-	-	-	-	-
Georgia.....	-	-	-	-	-	-	-
Hawaii.....	-	-	-	-	-	-	-
Idaho.....	-	-	-	-	-	-	-
Illinois.....	-	-	-	-	-	-	-
Indiana.....	-	-	-	-	-	-	-
Iowa.....	-	H681	-	-	-	H2197	-
Kansas.....	-	-	-	-	-	-	-
Kentucky.....	-	-	-	-	-	-	-
Louisiana.....	-	-	-	-	-	-	-
Maine.....	-	-	-	-	-	-	-
Maryland.....	-	-	-	H1100, S451	-	H1323, S789, H1299	-
Massachusetts.....	-	-	-	-	-	-	-
Michigan.....	-	-	H4512	-	-	-	-
Minnesota.....	-	-	-	H3096	-	-	-
Mississippi.....	-	-	-	-	-	-	-
Missouri.....	-	-	-	-	-	-	-
Montana.....	-	-	-	-	-	-	-
Nebraska.....	-	-	-	-	-	-	-
Nevada.....	-	-	-	-	-	-	-
New Hampshire.....	-	-	-	-	-	-	-
New Jersey.....	-	-	-	A4293, A4268	-	-	-
New Mexico.....	-	-	-	-	-	-	-
New York.....	-	S3601	-	-	-	A2563	-
North Carolina.....	-	-	-	-	-	-	-
North Dakota.....	-	-	-	-	-	-	-
Ohio.....	-	-	-	-	-	-	-
Oklahoma.....	-	-	-	-	-	S2260	-
Oregon.....	-	-	-	H3651a	-	-	-
Pennsylvania.....	-	-	-	-	-	-	-
Rhode Island.....	-	-	-	-	-	-	-
South Carolina.....	-	-	-	-	-	-	-
South Dakota.....	-	-	-	-	-	-	-
Tennessee.....	-	-	-	-	-	H2685	-
Texas.....	-	-	-	-	-	-	-
Utah.....	-	-	-	-	-	-	-
Vermont.....	-	-	-	-	-	-	-
Virginia.....	-	-	-	-	-	-	-
Washington.....	-	-	-	-	-	S6447	-
West Virginia.....	-	-	-	-	-	-	-
Wisconsin.....	-	A266	-	-	-	-	-
Wyoming.....	-	-	-	-	-	-	-
Guam.....	-	-	-	-	-	-	-
Puerto Rico.....	-	-	-	-	-	-	-
Virgin Islands.....	-	-	-	-	-	-	-
Total.....	1	3	1	6	0	14	0

See note at end of table.

**Exhibit 1. Continued—Legislation enacted, Senate and House of Representatives, by category and number of bill, Dec. 1, 2009, through Sept. 30, 2010**

State	Wages paid	Whistleblower	Workers with disabilities	Worker privacy	Workplace security and violence
Alabama.....	-	-	-	-	S136
Alaska.....	-	-	-	-	-
Arizona.....	-	-	S1232	H2545,S1325, S1100	-
Arkansas.....	-	-	-	-	-
California.....	-	A1666, S650, A1749	-	A352, S938	S1055
Colorado.....	S35	-	-	-	-
Connecticut.....	-	-	-	H5904	-
Delaware.....	-	-	-	-	-
District of Columbia.....	-	B233	-	-	-
Florida.....	-	-	-	S312	-
Georgia.....	-	-	-	H1086	-
Hawaii.....	-	-	-	-	SR100
Idaho.....	-	-	-	S1378	-
Illinois.....	S3568	-	-	H4658, H5154, H6271, S3025, S3588	-
Indiana.....	-	-	-	-	-
Iowa.....	-	-	-	-	-
Kansas.....	-	-	EO-10-10	-	-
Kentucky.....	-	-	-	-	-
Louisiana.....	-	H1442	-	SR120	-
Maine.....	-	-	-	-	-
Maryland.....	H214, S694, S18	-	-	H1402, S887	-
Massachusetts.....	-	-	-	-	-
Michigan.....	-	-	-	-	-
Minnesota.....	-	-	-	-	-
Mississippi.....	-	-	-	-	-
Missouri.....	-	-	-	-	-
Montana.....	-	-	-	-	-
Nebraska.....	L884	-	-	-	-
Nevada.....	-	-	-	-	-
New Hampshire.....	H1137	-	-	-	-
New Mexico.....	-	H165	-	H231, S60	-
New Jersey.....	S3123	-	-	-	-
New York.....	-	-	A10771	-	-
North Carolina.....	-	-	-	H1377	-
North Dakota.....	-	-	-	-	-
Ohio.....	-	-	-	-	-
Oklahoma.....	-	-	-	S1592	-
Oregon.....	-	-	-	-	-
Pennsylvania.....	-	-	-	-	-
Rhode Island.....	-	-	-	-	-
South Carolina.....	-	-	-	-	-
South Dakota.....	-	-	-	-	-
Tennessee.....	H3095	-	-	H1578	H3794
Texas.....	-	-	-	-	-
Utah.....	-	-	H17	-	-
Vermont.....	S58	-	-	-	-
Virginia.....	-	-	-	H1382, H518	-
Washington.....	H3145	-	-	H1317	-
West Virginia.....	-	-	-	-	-
Wisconsin.....	-	-	-	A32, A659	-
Wyoming.....	-	-	-	-	-
Guam.....	-	-	-	-	-
Puerto Rico.....	-	-	-	-	-
Virgin Islands.....	-	-	-	-	-
Total.....	11	6	4	27	4

NOTE: Dash indicates no bill enacted in category.

## Changes in Federal and State unemployment insurance legislation in 2010

*Federal enactments extend benefits and provide Federal funding to the States to cover costs, and additional enactments include other provisions affecting the unemployment insurance program; State enactments include provisions regarding extended benefits, work sharing, tax schedules, and taxable wage bases*

Loryn Lancaster

**D**uring 2010, there were six Federal legislative enactments and one rule that affected the Federal–State unemployment compensation program.

### **Temporary Extension Act of 2010 (P.L. 111-144), enacted March 2, 2010**

*Emergency Unemployment Compensation.* The ending date for the Emergency Unemployment Compensation (EUC) program is extended for new entrants from February 28, 2010, to April 5, 2010, and the ending date for phaseout for current beneficiaries is extended from July 31, 2010, to September 4, 2010.

The funding of EUC benefits from the general fund of the Treasury and of administrative costs from the employment security administration account has been authorized to continue.

*Extended benefits.* The ending dates for the 100-percent Federal funding of extended benefits and the provision expanding extended benefit eligibility are extended from February 28, 2010, to April 5, 2010, and the ending date for phaseout for current beneficiaries is extended from July 31, 2010, to September 4, 2010.

The ending date of the provision for the Federal funding of the first week of extended benefits in States with no waiting week is extended from July 31, 2010, to September 4, 2010.

*Federal Additional Compensation.* The ending date for the Federal Additional Compensation program increasing the weekly benefit amount by \$25 is extended from February 28, 2010, to April 5, 2010, and the ending date for phaseout for current beneficiaries is extended from August 31, 2010, to October 5, 2010.

### **Continuing Extension Act of 2010 (P.L. 111-157), enacted April 15, 2010**

These provisions take effect as if included in the Temporary Extension Act of 2010 (P.L. 111-144).

*Emergency Unemployment Compensation.* The ending date for the EUC program is extended for new entrants from April 5, 2010, to June 2, 2010, and the ending date for phaseout for current beneficiaries is extended from September 4, 2010, to November 6, 2010.

*Extended benefits.* The ending dates for the 100-percent Federal funding of extended benefits and the provision expanding extended benefit eligibility are extended from April 5, 2010, to June 2, 2010, and the ending date for phaseout for current beneficiaries is extended from September 4, 2010, to November 6, 2010.

The ending date of the provision for the Federal funding of the first week of extended benefits in States with no waiting week is extended from September 4, 2010, to November 6, 2010.

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*Federal Additional Compensation.* The ending date for the Federal Additional Compensation program increasing the weekly benefit amount by \$25 is extended from April 5, 2010, to June 2, 2010, and the ending date for phaseout for current beneficiaries is extended from October 5, 2010, to December 7, 2010.

### **Unemployment Compensation Extension Act of 2010 (P.L. 111-205), enacted July 22, 2010**

*Emergency Unemployment Compensation.* The ending date for the EUC program is extended for new entrants from June 2, 2010, to November 30, 2010, and the ending date for phaseout for current beneficiaries is extended from November 6, 2010, to April 30, 2011.

The funding of EUC benefits from the general fund of the Treasury and of administrative costs from the employment security administration account has been authorized to continue.

The EUC agreement will no longer apply, and EUC benefits will not be payable in a State if the method of computing regular compensation has been modified and results in the average weekly benefit amount payable of regular compensation (disregarding any Federal Additional Compensation payable) being lower than it was on June 2, 2010.

*Modification of EUC requirement regarding regular compensation entitlement.* The EUC requirement that individuals exhaust all regular compensation entitlement before receipt of EUC entitlement was modified. It now provides that if

- a claimant was determined to be entitled to EUC with respect to a benefit year,
- that benefit year expired,
- the claimant has remaining entitlement to EUC with respect to that benefit year, and
- his or her weekly benefit amount of regular compensation in a new benefit year would be at least either \$100 or 25 percent less than his or her initial weekly benefit amount,

then the State will take one of the following four actions:

1. establish a new benefit year for the individual but defer payment of regular compensation until the EUC claim has been exhausted;
2. defer the establishment of the new benefit year and “freeze” the base-period wages currently available

for use in establishing a benefit year when the EUC claim has been exhausted;

3. establish the new benefit year, commence regular compensation payments, and augment the new weekly benefit amount with funds from the claimant’s EUC account equal to the difference between the new regular compensation weekly benefit amount and the old EUC claim’s weekly benefit amount; or
4. continue to pay the EUC claim if the individual elects not to file a claim for regular unemployment insurance benefits in the new benefit year.

Taking one of these four actions determines whether an individual will receive EUC or regular compensation. This provision is applicable to claimants whose benefit year expires after July 22, 2010.

*Extended benefits.* The ending dates for the 100-percent Federal funding of extended benefits and the provision expanding extended benefit eligibility are extended from June 2, 2010, to December 1, 2010, and the ending date for phaseout for current beneficiaries is extended from November 6, 2010, to May 1, 2011.

The ending date of the provision for the Federal funding of the first week of extended benefits in States with no waiting week is extended from November 6, 2010, to April 30, 2011.

### **Claims Resolution Act of 2010 (P.L. 111-291), enacted December 8, 2010**

*Unemployment compensation debts.* The following are some of the provisions of the Claims Resolution Act of 2010:

- to amend the Internal Revenue Code of 1986 regarding collection of past-due, legally enforceable State debts
- to remove the requirement that an offset for an overpayment of Federal income taxes be permitted only against residents of the State seeking the offset; the offset now applies to residents of any State
- to remove the requirement to notify the taxpayer, by certified mail with return receipt, of the covered unemployment compensation debt
- to modify the definition of “covered unemployment compensation debt” to include a past-due debt for the person’s failure to report earnings
- to modify the definition of “covered unemployment compensation debt” to mean contributions due to the

unemployment fund of a State that has determined the person to be liable (no longer limited to liability due to fraud)

- to provide that “covered unemployment compensation debt” may be collected beyond 10 years (under prior law, the debt was uncollectable after 10 years)

*Reporting of first day of earnings to the National Directory of New Hires.* The Claims Resolution Act of 2010 amends the Social Security Act to require employers to report to the National Directory of New Hires the date on which services for remuneration were first performed by the newly hired employee. The amendment also provides that each required report furnished to the National Directory of New Hires shall, to the extent practicable, be made on a W-4 form. (Previously, the report had to be furnished on a W-4 form.)

### **Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (P.L. 111-312), enacted December 17, 2010**

*Emergency Unemployment Compensation.* The ending date for the EUC program is extended for new entrants from November 30, 2010, to January 3, 2012, and the ending date for phaseout for current beneficiaries is extended from April 30, 2011, to June 9, 2012.

The funding of EUC benefits from the general fund of the Treasury and of administrative costs from the employment security administration account has been authorized to continue.

*Extended benefits.* The ending dates for the 100-percent Federal funding of extended benefits and the provision expanding extended benefit eligibility are extended from December 1, 2010, to January 4, 2012, and the ending date for phaseout for current beneficiaries is extended from May 1, 2011, to June 11, 2012.

New extended benefit provisions permit States to amend their laws to temporarily modify the provisions concerning “on” and “off” indicators on the basis of the insured unemployment rate and the total unemployment rate. States are permitted to make determinations of whether there is an “on” or “off” indicator by comparing current unemployment rates with the unemployment rates for the corresponding period in the 3 preceding years (known as the “look back” period), effective with respect to compensation for weeks of unemployment beginning after December 17, 2010, or if later, the date established pursuant to State law, and ending on or before December

31, 2011. Prior law limited the “look back” period to the 2 preceding years.

A technical correction to Section 6402(f) of the Internal Revenue Code of 1986 provides that any covered unemployment compensation debt may be collected via the Treasury Offset Program.

### **Omnibus Trade Act of 2010 (P.L. 111-344), enacted December 29, 2010**

This act extended for 6 weeks, through February 12, 2011, the Trade Adjustment Assistance program created under the Trade Act of 1974 and the American Recovery and Reinvestment Act of 2009. The Trade Adjustment Assistance program had been set to expire December 31, 2010.

### **Final rule regarding funding goals for interest-free Title XII advances**

The U.S. Department of Labor issued a final rule (effective October 18, 2010) implementing Federal requirements conditioning a State’s receipt of interest-free Title XII advances from the Federal Government for the payment of unemployment compensation upon the State meeting “funding goals” established under regulations issued by the Secretary of Labor. The final rule requires that States meet a solvency criterion in 1 of the 5 calendar years preceding the year in which advances are taken, and also meet two tax-effort criteria for each calendar year after the solvency criterion is met, up to the year in which an advance is taken.

Following is a summary of some significant changes in State unemployment insurance laws that occurred in 2009 and 2010:

*Base periods.* The following States amended their unemployment compensation laws to provide for the use of the most recently completed calendar quarter under certain circumstances, in either the regular base period or an alternative base period: Maryland, Nebraska, South Carolina, Utah, and Virgin Islands (2009). The effective dates vary among the States.

Following are some of the modified or new provisions in State unemployment compensation laws, regulations, or policies, along with a list of States that clarified, amended, interpreted, or added each provision:

- Individuals will not be denied benefits under provisions relating to availability for work, active search for work, or refusal to accept work solely because of seeking

only part-time work. (Colorado (2009), District of Columbia, Nebraska, Nevada, South Carolina, South Dakota, and Virgin Islands (2009).)

- An individual will not be disqualified from receiving benefits due to separation from employment if that separation is because of (1) a compelling family reason such as domestic violence or illness or disability of the individual's immediate family, or (2) the need to accompany one's spouse—because of a change in the location of the spouse's employment—to a place from which it is impractical for the individual to commute. (Alaska, Nevada, Rhode Island, South Carolina, and Virgin Islands (2009).)

- Individuals who are entitled to receive benefits and who have a dependent will receive a dependents' allowance of \$15 per dependent per week, and the total dependents' allowance payable to any claimant is capped at \$50

or 25 percent of the individual's weekly benefit amount, whichever is greater. (Rhode Island.)

- Individuals exhausting rights to regular unemployment compensation who are enrolled in an approved training program or in a job training program authorized under the Workforce Investment Act of 1998 will be entitled to an additional amount of benefits equal to 26 times their average weekly benefit amount for the most recent benefit year. Such training programs will prepare individuals for entry into a high-demand occupation who have been separated from a declining occupation or who have been involuntarily separated from employment because of a permanent reduction in operations at their place of employment. (Maryland, Nebraska, and South Dakota.)

The effective dates of the provisions vary among the States.

## Alabama

*Extensions and special programs.* The expiration date for paying extended benefits based upon the seasonally adjusted total unemployment rate (TUR) to establish an "off" indicator was changed to the end of the week ending 4 weeks prior to the last week for which the Federal Government pays 100 percent of most extended benefits (EB) costs. The alternative expiration date of on or before December 5, 2009, is removed.

*Financing.* The quarterly 0.06-percent special assessment used to fund the Employment Security Enhancement Fund was extended from September 30, 2010, to September 30, 2011.

The current tax rate structure for determining an employer's contribution rate was extended from September 30, 2010, to September 30, 2011.

## Arizona

*Financing.* Benefits paid to individuals whose employment was terminated because their employer was called to active duty in the military will not be charged to employers' accounts.

Benefits paid to individuals whose employment was terminated because a former employee of the employer returned to work for the employer after being called to active

duty in the military will not be charged to employers' accounts.

## California

*Administration.* The Employment Development Department is required to submit a report to the Governor and legislature on the effectiveness of the California Training Benefits Program no later than September 1, 2016.

The Department is required to revise current language in the California Employer's Guide to make clear that an elected official is not eligible to collect unemployment insurance benefits on the basis of income earned while serving as an elected official.

*Coverage.* The director of the Employment Development Department is required to adopt regulations no later than July 1, 2011, clarifying that service performed as an elected official is excluded from coverage for purposes of unemployment insurance benefit eligibility.

*Monetary entitlement.* The effective date for implementing an alternative base period changed from as soon as possible, but no later than April 3, 2011, to as soon as possible, but no later than September 3, 2011.

*Nonmonetary eligibility.* An individual may be deemed to have left his or her most recent work with good cause if he or she leaves employment to protect his or her family (previ-

ously, children), or himself or herself, from domestic violence.

The eligibility requirements for training/retraining benefits are revised by establishing the California Training Benefits Program, effective January 1, 2011, or, if not feasible, no later than July 1, 2011. Individuals eligible for unemployment benefits who apply under the Training Benefits Program will be issued a determination of automatic eligibility for a period of training/retraining benefits if certain criteria are met, including that the training be authorized by the Workforce Investment Act of 1998 or by the Trade Act of 1974, as amended. If automatic eligibility for a period of training/retraining benefits is not authorized, individuals eligible for unemployment benefits will be issued a determination of potential eligibility for a period of training/retraining benefits if certain criteria are met. (Previously, eligible individuals could receive retraining benefits pursuant to the Trade Act of 1974, as amended, until January 1, 2015; and the law authorized individuals eligible for unemployment benefits to apply for training/retraining benefits and required that a determination of potential eligibility for specified training/retraining benefits be issued if specified conditions apply.)

## Colorado

*Extensions and special programs.* The director of the Colorado Department of Labor and Employment is required to establish a

voluntary work-share program allowing the payment of unemployment compensation benefits to employees whose wages and hours have been reduced by at least 10 percent but not more than 40 percent. The maximum number of weeks payable is 18 weeks. A negative-excess employer is not eligible to participate in the work-share program. Work-share benefits paid shall be charged to the account of the participating employer in the same manner as regular benefits. Participation in the work-share program requires that the employer not eliminate or diminish health insurance, retirement benefits received under a pension plan, paid vacation or holidays, sick leave, or any other similar employee benefits provided, immediately prior to submitting the work-share plan. The period of an approved plan is 12 months. The work-share plan may be modified to meet changed conditions, if the modification meets certain requirements. If the director finds that the work-share program causes the unemployment insurance cash fund to accelerate towards insolvency, the work-share provisions will be repealed effective July 1, 2013.

### Connecticut

*Financing.* Both the State and Indian tribes, towns, cities and other political and governmental subdivisions of the State shall pay 100 percent of all extended benefits paid that are attributable to service in their employ.

### District of Columbia

*Appeals.* The period for filing an appeal is extended from 10 calendar days to 15 calendar days after the mailing of the notice or the actual delivery of such notice. The 15-day appeal period is extended if the claimant or any party to the proceeding shows excusable neglect or good cause.

*Extensions and special programs.* The director of the District of Columbia Department of Employment Services is required to establish a voluntary shared work unemployment compensation (short-time compensation) program applicable when the normal weekly hours of work are reduced by not less than 20 percent and not more than 40 percent. The maximum number of weeks payable is 50 calendar weeks during the 12-month period of the shared work plan, provided that 2 weeks of additional benefits shall be payable when regular benefits and any other Federal or State

extended benefits are exhausted. A plan may be approved if

- a participating employer has filed all past and present required reports, and has paid all contributions and benefit cost payments, or if a reimbursing employer has made all past and current payments in lieu of contributions;
- the shared work plan applies to and identifies a specific affected unit;
- the employer has at least two employees;
- the employees in the affected unit are identified by name and Social Security number;
- the shared work plan describes the manner in which the participating employer treats the fringe benefits of each employee in the affected unit; and
- the employer certifies that the shared work plan will not be used to reduce the fringe benefits offered to employees.

A shared work plan shall not be implemented to subsidize seasonal employers during the off-season or to subsidize employers who have traditionally used part-time employees.

A shared work plan may be modified to meet changed conditions, if the modification does not substantially change the basic provisions of the plan.

The term “fringe benefits” is defined to mean health insurance, a retirement benefit received under a pension plan, a paid vacation day, a paid holiday, sick leave, and any other analogous employee benefit provided by an employer.

The voluntary shared work unemployment compensation program expires March 6, 2011.

All individuals who have exhausted all rights to regular unemployment compensation, and who are enrolled in and making satisfactory progress in a State-approved training program or a job training program authorized under the Workforce Investment Act of 1998, will be entitled to a training extension of benefits equal to 26 times their average weekly benefit amount for the most recent benefit year, less any deductible income. Such training programs will prepare individuals for entry into a high-demand occupation. These people will be individuals who have been separated from a declining occupation or who have been involuntarily separated from employment because of a permanent reduction of operations at their place of employment.

*Financing.* The quarterly 0.2-percent administrative funding assessment expiration date is extended from December 31, 2008, to December 31, 2013.

The amount of dependents’ allowance paid will not be charged to the individual accounts of the employers.

The training extension of benefits paid will not be charged to the individual employer accounts.

*Monetary entitlement.* Each individual who is entitled to receive benefits and has at least one dependent will receive an additional \$15 per dependent per week, subject to an aggregate limitation on the total dependents’ allowance of \$50 per week or 50 percent of the individual’s weekly benefit amount, whichever is lesser. The dependents’ allowance provision is applicable to claims for benefit years beginning August 10, 2009, through December 31, 2010.

*Nonmonetary eligibility.* Individuals will not be disqualified from receiving benefits due to separation from employment if that separation is for a “compelling family reason.” Two compelling family reasons are the following:

- the illness or disability of a member of the individuals’ immediate family
- the need for the individuals to accompany their spouse—because of a change in the location of the spouse’s employment—to a place from which it is impractical for them to commute

The domestic violence provision is amended by providing that an individual will not be disqualified from receiving benefits due to separation from employment if that separation is for the compelling family reason of domestic violence against the individual or any member of the individual’s immediate family, unless the individual was the perpetrator of the domestic violence.

### Florida

*Administration.* Lawmakers have deleted the provision stating that the tax collection service provider may grant a waiver from electronic reporting only if the employer timely files by TeleFile unless the employer wage detail exceeds the service provider’s TeleFile system capabilities.

The process for filing claims must incorporate the process for registering for work, and a

claim for benefits may not be processed until the work registration requirement is satisfied.

Liens securing the payment of unemployment tax obligations lapse 10 years after the date of the original filing of the notice of lien. An action to collect amounts due may not be commenced after the expiration of the lien securing the payment of the amounts owed.

An employing unit that files an erroneous, incomplete, or insufficient report shall pay a penalty of \$50 or 10 percent of any tax due, whichever is greater, but no more than \$300 per report. The penalty will be added to any tax, penalty, or interest otherwise due and shall be waived if the employing unit files an accurate, complete, and sufficient report within 30 days after a penalty notice is issued. The penalty may not be waived more than once during a 12-month period.

The penalty on employers for failing to file the Employer's Quarterly Report by approved electronic means increased from \$10 to \$50 plus \$1 for each employee. The penalty does not apply if the tax collection service provider waives the electronic filing requirement in advance.

The penalty for failing to remit contributions or reimbursements by approved electronic means increased from \$10 to \$50.

The penalty on individuals who prepare and report for 100 or more employers for failing to file the Employer's Quarterly Report by approved electronic means increased from \$10 to \$50 plus \$1 for each employee. The penalty does not apply if the tax collection service provider waives the electronic filing requirement in advance.

Liens securing the payment of unemployment tax obligations will lapse 10 years after the date of the original filing of the notice of lien. An action to collect amounts due may not be commenced after the expiration of the lien securing the payment of the amounts owed.

The Agency for Workforce Innovation may revoke all certificates of registration, permits, or licenses issued by the agency to a taxpayer when the agency files a warrant, notice of lien, or judgment lien certificate against the property of a taxpayer, provided that certain procedures are followed.

*Coverage.* Single-member limited liability companies will be treated as employers.

*Extensions and special programs.* The expiration date of an "on" indicator week based on the seasonally adjusted total unemployment rate (TUR) for the Federal-State Extended

Benefits (EB) Program changed from December 12, 2009, to January 30, 2010.

The expiration date of a "high unemployment period" based on the seasonally adjusted TUR for the Federal-State EB program changed from December 12, 2009, to January 30, 2010.

The EB provisions are applicable to claims for weeks of unemployment in which the "exhaustee" establishes entitlement to EB for weeks between February 22, 2009, and February 27, 2010 (previously, between February 22, 2009, and January 2, 2010).

The expiration date of an "on" indicator week based on the seasonally adjusted TUR for the Federal-State EB program changed from January 30, 2010, to May 8, 2010.

The expiration date of a "high unemployment period" based on the seasonally adjusted TUR for the Federal-State EB program changed from January 30, 2010, to May 8, 2010.

The expiration date of an "on" indicator week based on the seasonally adjusted TUR for the Federal-State EB program changed from May 8, 2010 to November 6, 2010.

The expiration date of an "on" indicator week based on the seasonally adjusted TUR for the Federal-State EB program changed from November 6, 2010 to December 10, 2011.

The EB provisions are applicable to claims for weeks of unemployment in which the exhaustee establishes entitlement to EB for weeks between February 22, 2009, and June 2, 2010 (previously, between February 22, 2009, and February 27, 2010).

The following definition and work search requirement are applicable to the Federal-State EB program:

"Good job prospects": An individual has good job prospects if he or she has a definite return-to-work date within 4 weeks of the determination notice of eligibility for EB. If, after 4 weeks of EB, an individual having good job prospects remains unemployed, the individual is required to fill out and return the Unemployment Compensation Extended Benefits Eligibility Review Questionnaire within 10 days of the mailing date. Failure to comply will result in disqualification from receiving EB until 4 weeks have passed and the individual has earned wages equal to 4 times his or her weekly benefit amount.

It is required for any individual who applies for unemployment insurance benefits to conduct at least two work-search activities on

separate days per week, unless the individual's situation meets the definition of "good job prospects."

*Financing.* The taxable wage base remains at \$7,000 for calendar years 2010 and 2011 (supersedes previous legislation increasing it to \$8,500).

The taxable wage base increases to \$8,500 for calendar years 2012, 2013, and 2014.

The taxable wage base decreases from \$8,500 to \$7,000 for calendar year 2015 and each year thereafter, and increases to \$8,500 in any calendar year in which repayment of the principal amount of a Title XII advance is due to the Federal Government.

The positive adjustment factor for when the trust fund balance is less than 4 percent of taxable payrolls is effective January 1, 2012.

To calculate the employer tax rate effective on January 1, 2012, and January 1, 2013, use taxable-payroll data available for 2009 based on the \$7,000 taxable wage base, and use taxable-payroll data available for 2010 and 2011 based on the \$8,500 taxable wage base.

An additional rate is assessed on contributing employers to pay for interest due on Title XII advances. The additional rate will be assessed no later than February 1 in each calendar year in which an interest payment is due. The amount of such interest shall be estimated no later than December 1 of the calendar year preceding the calendar year in which an interest payment is due. The basis for the estimate includes the following at a minimum:

- the amounts actually advanced to the trust fund,
- the amounts expected to be advanced to the trust fund on the basis of current and projected unemployment patterns and employer contributions,
- the interest payment due date, and
- the interest rate that will be applied by the Federal Government to any accrued outstanding balances.

For an annual administrative fee not to exceed \$5 each year, contributing employers may pay their 2010 and 2011 quarterly contributions due for wages paid in the first three quarters of 2010 and 2011 in equal installments if those contributions are paid under certain specific conditions.

September 30 (previously, June 30) is the date that the Unemployment Compensation Trust Fund balance is determined for purposes

es of computing a positive adjustment factor, beginning January 1, 2012. If a contributing employer fails to respond within 20 days after the delivery of the notice of claim, the employer's account under certain circumstances may not be relieved of benefit charges.

*Nonmonetary eligibility.* To be eligible to receive benefits, individuals (except non-Florida residents, persons on a temporary layoff, union members hired through a union hiring hall, and persons claiming benefits under an approved short-time compensation plan) must register with the Agency for Workforce Innovation for work and subsequently report to the one-stop career center as directed for reemployment services.

*Overpayments.* Nonfraud overpayments are nonrecoverable (through repaying or deduction of future benefits payable) if benefits were received to which a person was not entitled as a result of an employer's failure to respond to a claim notice within the established timeframe.

## Hawaii

*Financing.* Whenever the State requests a Title XII advance to pay expected benefit claims during a specified period, the director of the Hawaii Department of Labor and Industrial Relations may assess all employers the amount that is sufficient to pay the principal and interest costs on the advance, provided that the director develops a mechanism of distributing these payments among employers in a fair and equitable manner.

The calculation of the taxable wage base changed for calendar years 2010 and 2011 only. "Wages" do not include remuneration in excess of the wages paid with respect to employment to an individual by an employer during the calendar year that exceeds 90 percent (previously, 100 percent) of the average annual wage (retroactive to January 1, 2010). Thereby, the taxable wage base increased from \$13,000 to \$34,900 for 2010 and decreased to \$34,200 for 2011.

For calendar year 2011 (previously, for calendar 2011 and thereafter) "adequate reserve fund" means an amount equal to the amount derived (previously, equal to 1½ times the amount derived) by multiplying the benefit cost rate by the total remuneration paid by all employers.

Notwithstanding the ratio of the current reserve fund to the adequate reserve fund, contribution rate schedule D shall apply for

calendar year 2010 and contribution rate schedule F shall apply for calendar year 2011 (retroactive to January 1, 2010). For schedule D, the minimum contribution rate is 0.20 percent and the maximum rate is 5.4 percent, and for schedule F the minimum rate is 1.20 percent and the maximum is 5.4 percent.

*Monetary Entitlement.* The maximum weekly benefit amount (MWBA) for calendar years 2010 and 2011 shall be calculated at 75 percent of the average weekly wage. (For 2010 the MWBA is \$559, and in 2011 it decreases to \$549.) Beginning with calendar year 2012, the MWBA shall be calculated at 70 percent of the average weekly wage. (Previously, the reduction to 70 percent was to begin with calendar year 2011.)

## Indiana

*Administration.* The provision establishing an unemployment claims compliance center and required procedures for the center is deleted (effective January 1, 2010).

The deadline for employer response for information changed from within 10 days after the date a request is delivered to within 10 days after the date it is mailed (effective January 1, 2010).

An interim study committee is established to study the feasibility of indexing unemployment benefits and the taxable wage base. A final report is required before November 1, 2010. The provision expires January 1, 2011.

The Helping Indiana Restart Employment (HIRE) program is established to provide employer subsidies for hiring (applicable upon approval of reimbursement available from the TANF emergency fund), and the commissioner of the Department of Workforce Development is required to determine whether expenditures by an eligible employer allocated to the State match money for the program may be credited under State or Federal law toward the eligible employer's unemployment insurance contributions. A report is due to the budget committee no later than June 1, 2010. The provision expires June 30, 2010.

*Appeals.* Effective July 1, 2010, each administrative law judge employed or used by the Department of Workforce Development is required to be an attorney who is licensed to practice law in Indiana.

*Coverage.* The Indiana Department of Labor has the power to investigate questions and complaints concerning the classification of

employees, effective July 1, 2010. The department is directed to establish guidelines and procedures that must include mechanisms to share data with appropriate State agencies and recoup contributions owed, recordkeeping requirements for contractors, investigative procedures, and penalties for violations. The definition of "employee" found in section 3401(c) of the Internal Revenue Code of 1986 and the 20-factor test conducted by the Internal Revenue Service are required to be used. Recommendations for legislative changes, including budgetary recommendations, shall be provided before November 1, 2010, to the legislative council. After the consideration of any recommendations from the pension management oversight commission, guidelines and procedures shall be converted to rules by August 1, 2011.

*Financing.* The taxable wage base for calendar year 2010 has been reduced to \$7,000 (previously, \$9,500). Beginning with calendar year 2011, the taxable wage base increases to \$9,500.

The standard contribution rate was reduced to 5.6 percent for calendar year 2010 (previously, 12.0 percent). Beginning with calendar year 2011, the standard contribution rate is 12.0 percent. (Effective January 1, 2010.)

The new employer rate increased to 2.7 percent from 2.5 percent for calendar year 2010. Beginning with calendar year 2011, the new employer rate decreases to 2.5 percent. (Effective January 1, 2010.)

During calendar year 2010, employers are required to pay a rate of not less than 5.6 percent if (1) the required contribution and wage reports are not filed within 31 days following the computation date, and (2) all contributions, penalties and interest due have not been paid within the specified timeframe. Beginning with calendar year 2011, an employer's rate shall be increased by 2 percent if (1) the required contribution and wage reports are not filed within 31 days following the computation date and (2) all contributions, penalties and interest due have not been paid within the specified timeframe. (Effective January 2, 2010.)

The contribution rate for governmental entities decreased to 1 percent for calendar year 2010. Beginning with calendar year 2011, the new employer rate for State and political subdivisions increases to 1.6 percent. (Effective January 1, 2010.)

For the calculation of 2010 employer contribution rates, one of four schedules (A, B,

C, or D) will be used. Rates range from 1.1 percent to 5.6 percent under Schedule A, to 0.1 percent to 5.4 percent under Schedule D. New fund ratio schedules and new rate schedules (which include additional schedules and different ranges of rates for accounts with credit or debit balances) are established for calendar years after December 31, 2010. Rates for new schedules range from 0.75 percent to 10.2 percent for Schedule A and from 0.0 percent to 5.4 percent for Schedule I. Schedule B is required to be used for calendar year 2011 to assign each employer's contribution rate.

*Monetary entitlement.* Payments made by a court system for jury service are not deductible income.

*Nonmonetary entitlement.* The requirement for claimants to submit one application for work in each week for which they claim benefits is deleted (effective July 1, 2010).

An individual may not be denied benefits for any week or determined not able to work, available for work, or actively seeking work because the individual is responding to a summons for jury service. Court proof of jury service must be provided to the Indiana Department of Labor (effective July 1, 2010).

## Iowa

*Extensions and special programs.* The maximum duration of a shared work plan increases from 26 weeks to 52 weeks. The language stating that an employing unit is eligible for approval of only one plan during a 24-month period is deleted.

*Financing.* The experience rating account of both contributory and reimbursable employers is not charged for benefits paid to individuals who leave because of the relocation of a military spouse.

*Nonmonetary eligibility.* Individuals who voluntarily quit because of the relocation of a military spouse will not be disqualified from receiving unemployment compensation.

## Kansas

*Financing.* Each employer's experience rate will be calculated for the 2010 and 2011 tax years, and each employer will be assigned to an appropriate rate group on the basis of that calculation, and assigned a rate based on the tax table used in 2010.

The exception to the due date for paying quarterly contributions for calendar years 2010 and 2011 is that contributing employers or their officers or agents shall have up to 90 days past the due date for any of the first three calendar quarters in a calendar year without being charged any interest; however, when the 90-day period has passed, employers failing to timely pay shall pay a penalty and shall pay contributions by the last day of the month following the close of the calendar quarter.

## Kentucky

*Extensions and special programs.* The expiration date of an "on" indicator week based on the seasonally adjusted total unemployment rate (TUR) for the Federal-State Extended Benefits (EB) Program changed to cease to be effective at the end of the week ending 4 weeks (previously 3 weeks) prior to the last week for which the Federal Government pays 100 percent of most EB costs (previously to cease to be effective on or before December 12, 2009).

*Financing.* Effective for calendar year 2012, the taxable wage base increases from \$8,000 to \$9,000 and shall increase by an additional \$300 on January 1 of each subsequent year to 2022, but will not exceed \$12,000.

The trust fund trigger date (the date that the fund's balance is determined) changed from December 31 to September 30.

The computation date (the end of the period used to determine the employer's experience with unemployment) changed from October 31 to July 31.

The date the reserve ratio will be determined changed from September 30 to June 30 and now immediately precedes the computation date.

The applicable rate schedule for the year is based on the trust fund balance as of September 30 (previously December 31).

The amount of money required in the trust fund to effectuate Schedules A, B, and C of Table A changes as follows. If the trust fund balance

- equals or exceeds \$500,000,000 (previously \$350,000,000) but is less than the amount required to trigger the trust fund adequacy rates, the rates in Schedule A shall be in effect;
- equals or exceeds \$350,000,000 (previously \$275,000,000) but is less than \$500,000,000 (previously \$350,000,000),

the rates listed in Schedule B shall be in effect;

- equals or exceeds \$250,000,000 but is less than \$350,000,000 (previously \$275,000,000), the rates listed in Schedule C shall be in effect.

Reimbursable nonprofit organizations and reimbursable governmental entities are charged, on a quarterly basis or on the basis of any other period determined by the secretary of the Department of Workforce and Employment Services, the interest due on the total amount billed for regular benefits and extended benefits, which shall be credited to the unemployment insurance fund.

Effective January 1, 2012, any employer subject to paying contributions that has a negative reserve account balance may make voluntary payments to the fund every other calendar year, in addition to the contributions required. (Previously, employers with a negative reserve account could make voluntary contributions annually.)

*Monetary entitlement.* A waiting week is established, applicable to initial claims made on or after January 1, 2012, that is required for each benefit year, whether or not consecutive. The waiting week becomes compensable once the remaining balance on the claim is equal to or less than the compensable amount for the waiting week.

The weekly benefit rate, except as otherwise provided, is calculated as 1.3078 percent of base-period wages, (previously, 1.185 percent of base-period wages), except that no weekly benefit amount shall be less than \$39 or more than the maximum rate. Effective with claims on or after January 1, 2012, the calculation of the weekly benefit rate, except as otherwise provided, shall be 1.1923 percent of base-period wages, except that no weekly benefit amount shall be less than \$39 or more than the maximum rate.

The amount required in the trust fund to determine the maximum weekly benefit rate (MWBR) changes as follows. If the trust fund balance as of September 30 immediately preceding the benefit year

- equals or exceeds \$120,000,000, but is less than \$200,000,000 (previously \$150,000,000), the MWBR shall not exceed the prior year's MWBR by more than 6 percent.
- equals or exceeds \$200,000,000 (previously \$150,000,000) but is less than \$300,000,000, (previously \$250,000,000),

the MWBR shall not exceed the prior year's MWBR by more than 8 percent.

- equals or exceeds \$300,000,000 (previously \$250,000,000), but is less than \$400,000,000 (previously \$275,000,000), the MWBR shall not exceed the prior year's MWBR by more than 10 percent.
- equals or exceeds \$400,000,000 (previously \$275,000,000), but is less than \$500,000,000 (previously \$350,000,000), the MWBR shall not exceed the prior year's MWBR by more than 12 percent.
- equals or exceeds \$500,000,000, the MWBR shall not exceed the prior year's MWBR by more than 15 percent.

## Maine

*Coverage.* Services performed by a worker on an H-2A visa are excluded from the term "employment."

*Monetary entitlement.* In computing the weekly benefit for an individual who is partially unemployed, it is now the case that, up to an amount equal to the individual's most recent weekly benefit amount, the earnings for the week received as a result of participation in full-time training under the Trade Act of 1974 as amended by the Trade and Globalization Adjustment Assistance Act of 2009 are not considered wages.

*Nonmonetary eligibility.* Vacation pay is deleted from the definition of disqualifying income.

## Maryland

*Extensions and special programs.* All individuals who have exhausted all rights to regular unemployment compensation, and who are enrolled in and making satisfactory progress in a job training program approved by the Maryland Department of Labor or authorized under the Workforce Investment Act of 1998, shall be entitled to a training extension of benefits equal to 26 times their average weekly benefit amount for the most recent benefit year. Such training programs shall prepare individuals for entry into a high-demand occupation. These people will be individuals who have been separated from a declining occupation or who have been involuntarily separated from employment because of a permanent reduction in operations at their place of employment. Individuals may not be denied additional training

benefits under the available-for-work and actively-seeking-work provisions. The payment of additional training benefits is limited to 1 year following the end of the benefit year. (Effective March 1, 2011, and applicable to all claims filed establishing a new benefit year on or after March 6, 2011.)

*Financing.* Contributing employers' accounts are not charged for additional training benefits paid to claimants (effective March 1, 2011, and applicable to all claims filed establishing a new benefit year on or after March 6, 2011).

The taxable wage base remains at \$8,500 for calendar years 2011 and 2012.

Notwithstanding the 1.5-percent interest rate, and except as otherwise provided, for any calendar year in which Table F is applicable, a contribution or reimbursement payment due and unpaid shall accrue interest at the rate of 0.5 percent per month or part of a month from the date due until the contribution or payment in lieu of contribution and the interest are received. The 0.5-percent interest rate is applicable for calendar years 2010 and 2011. (Applicable to contributions on taxable wages for covered employment beginning on or after January 1, 2012.)

The department is required during calendar years 2010 and 2011 to offer a variety of payment-plan options to employers. These options must allow contributions due on taxable wages for the first 9 months of the calendar year to be paid through December. The department is to implement regulations offering employers payment plans for any calendar year after 2011 in which employer contributions are to be calculated by use of Table F. These payment plans must allow payments for contributions due during the first 6 months of the year to be spread through August of that year.

*Monetary entitlement.* If a person would not be eligible for benefits because of the use of a base period consisting of the first four of the last five completed calendar quarters, then his or her eligibility shall be determined by use of a base period that includes the last four completed calendar quarters (effective March 1, 2011, and applicable to claims filed establishing a new benefit year on or after March 6, 2011).

The minimum weekly benefit amount increases from \$25 to \$50, the minimum wages needed in the base period to qualify for the minimum weekly benefit amount go up from \$900 to \$1,800, and the high-quarter wages

(that is, the wages in the quarter with the highest wages) needed in the base period to qualify for the minimum weekly benefit amount go up from \$576.01 to \$1,176.01. The maximum weekly benefit amount increases from \$410 to \$430; the minimum qualifying wages needed in the base period to qualify for the maximum weekly benefit amount rise from \$14,760 to \$15,480; and the high-quarter wages needed in the base period to qualify for the maximum weekly benefit amount rise from \$9,816.01 to \$10,296.01. (Effective March 1, 2012, and applicable to claims filed establishing a new benefit year on or after March 4, 2012.)

Any wages exceeding \$50 (previously, exceeding \$100) per week will be subtracted from the claimant's weekly benefit amount (effective March 1, 2011, and applicable to claims filed establishing a new benefit year on or after March 6, 2011).

*Nonmonetary eligibility.* The definition of "part-time worker" changes from an individual whose availability for work is restricted to part-time work and who works predominantly on a part-time basis throughout the year for at least 20 hours per week to an individual whose availability for work is restricted to part-time work and who worked at least 20 hours per week in part-time work for a majority of the weeks of work in the base period (effective March 1, 2011, and applicable to claims filed establishing a new benefit year on or after March 6, 2011).

A part-time worker may not be ineligible to receive benefits for a week in which the part-time worker is available for and seeking only part-time work if the part-time worker is actively seeking part-time work and is in a labor market in which a reasonable demand exists for part-time work. An individual is seeking only part-time work if the individual is aiming to work hours that are comparable to the individual's work at the time of the most recent separation from part-time employment, and to work at least 20 hours per week. Previous legislation required that a part-time worker be able to work, available for work, and actively seeking work, and be eligible to receive benefits if eligibility is based on wages predominantly earned from part-time work done at the previous employment. The legislation also required that that the worker not impose any other restrictions on the ability to work or availability for work and be in a labor market in which a reasonable demand exists for part-time work. (Effective March 1, 2011, and applicable to claims filed establishing a new benefit year on or after March 6, 2011.)



The disqualification for gross misconduct continues until the claimant has earned wages in covered employment equal to at least 25 (previously 20) times the claimant's weekly benefit amount (effective March 1, 2011, and applicable to claims filed establishing a new benefit year on or after March 6, 2011).

The disqualification for misconduct continues for a total of at least 10 to 15 weeks (previously 5 to 10 weeks). The length of time is based on the seriousness of the misconduct. (Effective March 1, 2011, and applicable to claims filed establishing a new benefit year on or after March 6, 2011.)

There was a provision allowing an individual who is eligible for unemployment insurance benefits and who has registered for work but subsequently becomes ill or disabled after filing for benefits to continue to receive unemployment insurance benefits if the individual is unable to work or to seek work because of the illness or disability; this provision has been deleted (effective March 1, 2011, and applicable to all claims filed establishing a new benefit year on or after March 6, 2011).

## Massachusetts

*Financing.* The minimum and maximum experience rates are 1.26 percent and 12.27 percent, respectively (column E) for calendar year 2010.

## Minnesota

*Administration.* An employer is penalized if that employer or any employee, officer, or agent of that employer offered employment to an applicant when, in fact, employment was unavailable, but only if the employer's action was taken in order to prevent or reduce payment of unemployment benefits, to reduce or avoid any payment required from an employer, or to cause an overpayment of unemployment benefits. The penalty is \$500 or 50 percent of the value of the overpaid or reduced unemployment benefits or any payment required, whichever is greater.

*Coverage.* Employment in a personal care assistance provider agency by an immediate family member of a recipient of personal care assistance who provides the direct care to the recipient through the personal care assistance program is excluded from coverage.

The term "staffing service" is defined as an employer whose business involves employing individuals directly for the purpose of

furnishing temporary-assignment workers to clients of the staffing service.

Contracts obtaining a taxpaying employer's workforce must include coverage of corporate officers for the duration of the contract (effective May 16, 2010).

*Extensions and special programs.* A special State extended unemployment insurance program is established that pays benefits to applicants not qualifying under the Federal-State Extended Benefits (EB) Program solely because of not meeting the earnings requirement of at least 40 times the applicants' weekly benefit amount. All other requirements under the Federal-State EB program must be met for a person to be eligible for special State extended unemployment insurance benefits. Special State extended unemployment insurance benefits are payable in the same amounts, for the same duration, and for the same period as provided for under the Federal-State EB program, except the maximum amount is reduced by the amount of the special State emergency unemployment compensation. Special State extended unemployment insurance benefits are payable from the trust fund. The special State extended unemployment insurance program is effective June 30, 2010, and expires on March 26, 2011, and no benefits may be paid under this program for a week that begins after that date.

Notwithstanding the June 30, 2010, expiration of the special State extended unemployment compensation program, if an applicant has filed for special State extended unemployment compensation for a week beginning prior to June 30, 2010, but has not exhausted the maximum amount available, the applicant may continue to receive special State extended unemployment compensation up to the determined maximum. This provision expires March 26, 2011, and no benefits may be paid under this program for a week that begins after that date.

*Financing.* The special State extended unemployment insurance benefits must not be used in computing the future unemployment insurance tax rate of a taxpaying employer, and they must not be charged to the reimbursing account of government or nonprofit employers (effective June 30, 2010, and expires March 26, 2011).

The tax rate provisions have been amended by providing that the base tax rate of 0.4 percent will be applicable if the trust fund is less than 0.55 percent but has a positive balance. Additionally, a new base tax rate of 0.5 per-

cent will be applicable if the trust fund has a negative balance and is borrowing from the Federal unemployment trust fund in order to pay unemployment benefits.

The provisions regarding the falling trust fund adjustment to the base tax rate have been deleted.

The computation of the tax rate changed for new taxpaying employers in an industry with a high experience rating who do not qualify for an experience rating *from* 8.0 percent plus the applicable base tax rate and any additional assessments *to* the tax rate for new taxpaying employers not in a high-experience-rating industry or the tax rate computed to the nearest one-hundredth of a percent for all employers in an industry with a high experience rating plus the applicable base tax rate and any additional assessments, whichever is greater.

The 25-percent surcharge on voluntary contributions is cancelled for calendar years 2011, 2012, and 2013.

The requirement that a State or political subdivision file a notice of election to become a taxpaying employer within 30 calendar days following January 1 of a calendar year is removed. The requirement that a State or political subdivision file a notice terminating the election to become a taxpaying employer no later than 30 calendar days before the beginning of the calendar year is removed. Instead, after the notice has been filed, the election or termination is effective at the beginning of the next calendar quarter. (Effective November 30, 2010.)

The requirement that a nonprofit organization file a notice of election to become a taxpaying employer no later than 30 calendar days before January 1 of any calendar year is removed. Instead, once a notice of election is filed, the election is effective at the beginning of the next calendar quarter. A nonprofit organization electing to become a reimbursing employer will continue to be liable for reimbursements until it files a notice terminating its election. The termination notice must be filed before the beginning of the calendar quarter during which the termination is to be effective. (Effective November 30, 2010.)

*Monetary entitlement.* If an applicant establishes a new benefit account within 39 weeks of the expiration of the benefit year on a prior benefit account, notwithstanding other provisions of law, the weekly benefit amount on the new benefit account will not be less than 80 percent of the weekly benefit amount on the prior benefit account (applicable to benefit ac-

counts effective on or after May 16, 2010, and expires on (1) the effective date of any Federal legislation allowing continued collection of Federal emergency unemployment compensation, notwithstanding the applicant qualifying for a new regular State benefit account, or (2) June 30, 2011, whichever is earlier).

*Nonmonetary eligibility.* Employment is not considered suitable if the employment is with a staffing service and less than 45 percent of the applicant's wage credits are from a job assignment with the client of a staffing service. A job assignment with a staffing service is considered suitable only if 45 percent or more of the applicant's wage credits are from job assignments with clients of a staffing service and the job assignments meet the definition of suitable employment. Actively seeking a suitable job assignment or other employment with a staffing service is considered actively seeking suitable employment.

*Overpayments.* Individuals who received unemployment benefits in 2009 shall not be determined overpaid because of receipt of vacation pay in 2009 that was earned in 2008 under a collective bargaining agreement with an employer located in Hibbing that had a layoff in May 2009 of over 400 workers (effective May 16, 2010).

## Mississippi

*Financing.* The computation of the "cost rate criterion" will be adjusted only through annual computations and additions of future economic cycles.

For calendar-year 2010, no employer's unemployment contribution rate shall be less than 0.4 percent (previously 0.1 percent). Beginning with calendar-year 2011, the general experience rate in no event shall be less than 0.2 percent. For any year that the general experience rate computes as an amount less than 0.2 percent, the general experience rate shall be established at 0.2 percent.

During years that the Workforce Enhancement Training contribution is in effect, instead of paying a 2.7-percent tax rate, each employer newly subject to the contribution shall be assigned a tax rate of 2.4 percent, to which will be added the 0.3-percent Workforce Enhancement Training contribution.

Workforce Enhancement Training contributions must be deposited into the Mississippi Department of Employment Security clearing account and transferred within 2 business days to the Workforce Enhancement Training

Fund holding account. Any Workforce Enhancement Training contribution transaction not honored by a financial institution will be transferred back to the clearing account out of funds in the Workforce Enhancement Training contribution holding account.

Beginning January 1, 2010, the required Workforce Enhancement Training contribution is suspended if the insured unemployment rate (IUR) exceeds an average of 5.5 percent for the 3 consecutive months immediately preceding the effective date of the new rate year, and shall remain suspended throughout the duration of that rate year. Such suspension shall continue until such time as the 3 consecutive months immediately preceding the effective date of any subsequent rate year have an average IUR of less than 4.5 percent. All collections due or accrued prior to any suspension of the Workforce Enhancement Training Fund will be collected on the basis of the law at the time the contributions accrued, regardless of when they are actually due or collected.

New employers and employers meeting certain criteria are permitted to participate in the Mississippi Level Payment Plan. Employers electing to participate pay contributions according to the Mississippi Level Payment Plan pay schedule instead of doing so on or before the last day of the month after each calendar quarter.

The taxable wage base increases from \$7,000 to \$14,000 for calendar-year 2011 and thereafter.

The contribution rate for new employers decreases from 2.7 percent to 2.4 percent through December 31, 2010. Beginning January 1, 2011, the new employer rate shall be 1.0 percent for the first year of liability, 1.1 percent for the second year of liability, and 1.2 percent for the third and subsequent years of liability; however, once an employer's experience rating account has been chargeable for 12 consecutive calendar months ending on the most recent computation date, the employers' rates shall be determined on the basis of their experience.

Beginning on January 1, 2010, the 0.3-percent reduction in contribution rates for employers whose assigned contribution rate equals or is less than 5.4 percent is eliminated. The table used to reduce contribution rates is removed.

The Workforce Enhancement Training contribution shall be assessed at a rate of 0.3 percent through December 31, 2010. In calendar year 2011, and each year thereafter, the Workforce Enhancement Training contribu-

tion shall be assessed at a rate of 0.15 percent. Training contributions shall be reduced as necessary to prevent any employer from having a combined rate greater than 5.4 percent. For rate years beginning January 1, 2010, Workforce Enhancement Training contributions are suspended if the IUR exceeds an average of 5.5 percent for the 3 consecutive months immediately preceding the effective date of the new rate year, and shall remain suspended throughout the duration of that rate year. The suspension continues until the 3 consecutive months immediately preceding the effective date of any subsequent rate year have an average IUR of less than 4.5 percent.

The definition of "size of fund index" (SOFI) is modified and, beginning January 1, 2010, the target SOFI will be fixed at 1.0. If the IUR exceeds a 4.5-percent average for the most recent completed July-to-June period, the target SOFI will be 0.8 and remain at 0.8 until the computed SOFI equals 1.0 or the average IUR falls to 4.5 percent or less for any July-to-June period. If the IUR falls below 2.5 percent for any July-to-June period, the target SOFI shall be 1.2 until the computed SOFI is equal to or greater than 1.0, or the IUR is equal to or greater than 2.5 percent, at which point the target SOFI returns to 1.0.

After calendar year 2010, the general experience rate shall in no event be less than 0.2 percent. For any year that the general experience rate is computed as an amount less than 0.2 percent, such rate shall be established at 0.2 percent.

The amount that a reimbursing political subdivision may elect to pay the fund shall equal 0.25 percent of taxable wages, effective January 1, 2011 (previously, 0.5 percent) in order that the political subdivision be relieved of benefit charges that would not have been charged had the political subdivision opted to be contributory.

The rate that political subdivisions electing to pay contributions shall pay changes from 2.0 percent of taxable wages to 1.0 percent, effective January 1, 2011.

The amount of the surety bond that a non-profit organization electing to reimburse the fund must file shall be equal to 1.35 percent of the organization's taxable wages paid for employment (previously, 2.7 percent), effective January 1, 2011.

## Missouri

*Extensions and special programs.* The expiration date of an "on" indicator week based on the seasonally adjusted total unemployment

rate (TUR) for the Federal–State Extended Benefits (EB) Program is changed from December 5, 2009, to the week ending 4 weeks prior to the last week of unemployment for which 100-percent Federal sharing is available under the Recovery Act, or March 3, 2011, whichever should occur first.

The expiration date of a “high-unemployment period” based on the seasonally adjusted TUR for the Federal–State EB program is changed from December 5, 2009, to the week ending 4 weeks prior to the last week of unemployment for which 100-percent Federal sharing is available under the Recovery Act, or March 3, 2011, whichever should occur first.

The maximum number of calendar weeks payable under the work-sharing program increases from 26 to 52.

## Nebraska

*Administration.* Each professional employer organization (PEO) currently operating in the State must register with the Nebraska Department of Labor by June 28, 2012. As of January 1, 2012, any PEO not operating in the State must register with the department prior to initiating operation within the State. Within 180 days after the end of the PEO’s fiscal year, the PEO must renew its registration with the department. Any PEO registered in another State that becomes aware that an existing client not based in Nebraska has employees and operations in Nebraska shall either decline to provide professional employer services for those employees or notify the department within 5 business days of its knowledge of this fact and file a limited registration application, or a full registration if there are more than 50 covered employees.

The department must maintain a list of registered PEOs and make it available to the public. Other than the list, all records, reports, and other information regarding the PEOs are not open to public inspection.

Financial requirements for PEOs have been established.

A majority of client employees must be covered employees in the State before a PEO can enter into an agreement, and before requirements for the agreement are established.

The Nebraska Department of Labor must prepare, maintain and publish a list of delinquent taxpayers who owe in excess of \$20,000 for which a notice of lien has been filed. The list will not include any taxpayer who has not exhausted or waived appeal rights from a final balance of tax liability. The list will in-

clude the name and address of the delinquent taxpayer, the type of tax or fee due, and the amount of tax or fee due, including interest, penalties, and cost. The list will be updated quarterly. The delinquent taxpayer’s name will be removed from the list within 15 days after entering a payment agreement or upon full payment of debt. A 30-day written notice to delinquent taxpayers must be provided prior to the taxpayers’ disclosure on the list.

*Coverage.* The term contractor is defined, and an individual performing construction labor is presumed to be an employee and not an independent contractor unless the individual meets certain specific criteria.

It is a violation for a contractor to designate an individual as an independent contractor who would be properly classified as an employee. The Nebraska Department of Labor must

- establish a hotline and Web site to report suspected violations;
- timely investigate all credible reports of suspected violations;
- upon finding that a contractor has violated the Employee Classification Act, have the Commissioner share any violations with the Department of Revenue and the Workers’ Compensation Court; and
- provide an annual report to the legislature.

A \$500 fine is assessed for each misclassified individual for the first offense; subsequent offenses are \$5,000 per misclassified individual.

The contractor of any contract with the State or political subdivision must follow the provisions of the act; violations are subject to contract rescission. Contractors must post a notice containing Employee Classification Act information at the jobsite or place of business.

*Extensions and special programs.* Notwithstanding any other provisions of the law, during an extended benefits period, the Governor may provide for the payment of emergency unemployment compensation pursuant to the Recovery Act, as amended, or any substantially similar Federal unemployment compensation paid entirely from Federal funds to individuals prior to the payment of extended benefits.

All individuals who have exhausted all rights to regular unemployment compensation, and who are enrolled in and making

satisfactory progress in a State-approved training program or in a job training program authorized under the Workforce Investment Act of 1998, will be entitled to an additional amount of benefits equal to up to 26 times their average weekly benefit amount for the most recent benefit year. Such training programs will prepare individuals for entry into a high-demand occupation who have been separated from a declining occupation or who have been involuntarily separated from employment because of a permanent reduction in operations at their place of employment.

*Financing.* Benefits paid for the extension of training will not be charged to the experience account of any employer.

*Monetary entitlement.* “Base period” is defined to mean the first four of the last five completed calendar quarters immediately preceding the first day of an individual’s benefit year. (Previously, “base period” meant the last four completed calendar quarters immediately preceding the first day of an individual’s benefit year, except that the commissioner could prescribe by rule and regulation that “base period” means the first four of the last five completed calendar quarters immediately preceding the first day of an individual’s benefit year.)

For benefit years beginning on or after July 1, 2011, if individuals would not be monetarily eligible for benefits on the basis of wages paid during the first four of the last five completed calendar quarters, then their eligibility will be determined on the basis of an alternative base period consisting of the last four completed calendar quarters immediately preceding the first day of the individuals’ benefit year.

Effective with benefit years beginning on or after July 1, 2011, the minimum base-period wages needed to monetarily qualify change from \$2,761 in the base period, \$800 in each of two quarters, and \$800 in the high quarter, to \$3,770 in the base period, \$1,850 in the high quarter, and \$800 in a second quarter.

*Nonmonetary eligibility.* Individuals will not be deemed unavailable for work, deemed to be failing to engage in an active search for work, or disqualified from receiving benefits for refusing to apply for available, full-time work or accept full-time work solely because they are seeking only part-time work if a majority of the weeks of work in their base period include part-time work.

“Seeking only part-time work” means seeking less than full-time work having com-

parable hours to the individual's part-time work in the base period, except that the individual must be available for work at least 20 hours per week.

There was an increase in the disqualification period for leaving work voluntarily without good cause, and the period is now defined as the week in which the individual left work and the 13 weeks (previously, 12 weeks) immediately following such week.

For a person who leaves work voluntarily for the sole purpose of accepting a better job but does not actually accept that job, the disqualification period changed to the week the individual left and the 2 weeks (previously, not more than 1 week) immediately following such week.

### New Hampshire

*Extensions and special programs.* A work-sharing program is created. Employers are required to submit an agreement that meets specific criteria in order to be approved by the commissioner of the New Hampshire Department of Employment Security. The criteria are the following:

- The reduction of hours may not be less than 10 percent or more than 50 percent and must be spread equally among employees in the unit.
- Health benefits must continue to be provided, retirement contributions shall be made on the basis of hours worked, and the effect of reduction on other fringe benefits must be identified.
- The agreement shall not last more than 26 weeks and must include start and end dates.

The amount of the work-sharing benefit shall be the weekly benefit amount multiplied by the percentage of the work reduction, rounded down; it will be reduced by the amount of any remuneration received from any work for a non-work-sharing employer that exceeds 30 percent of the maximum benefit rate in effect, and may not exceed the maximum benefit amount. Individuals meeting the criteria will be eligible for extended benefits.

*Financing.* Work-sharing benefits shall be charged to the employer. Benefits paid to individuals for a compelling family reason, such as voluntarily leaving to accompany a spouse—because of a change in the location

of the spouse's employment—to a place from which it is impractical to commute, or leaving because of the illness or disability of a member of the individuals' immediate family, shall be charged against the fund and shall not be charged to the account of an individual employer.

*Nonmonetary eligibility.* No later than the last day of school each year, the superintendent is required to notify in writing the educational support personnel and noncertified school district employees who have completed their probationary period of the intent to continue or not to continue that employment into the next school year. "Educational support personnel" means teacher's aides; food-service staff; custodial and maintenance staff; security staff; health care staff; library, computer, and audiovisual staff; clerical and administrative staff; and transportation staff employed by a school district.

### New Jersey

*Appeals.* The period for filing an appeal to the Board of Review is extended to 20 (previously 10) days after the date of notification or mailing of the tribunal's decision (applicable for decisions made on or after December 2, 2010).

Beginning on December 2, 2010, the regulations may provide for a schedule of registration fees for agents representing parties, except that, if a schedule of fees is set, the amount collected in fees shall not exceed the amount determined by the director of the Division of Unemployment and Temporary Disability Insurance to be necessary for the implementation of certain related provisions.

When a client or agent fails to appear at a hearing without requesting a postponement, no further hearings will be scheduled, unless it is satisfactorily demonstrated that such failure to appear was due to circumstances beyond the control of the client or agent.

*Financing.* Nonfraud unemployment benefit overpayments shall not be charged to the employer's account if caused by an error of the division and not by any error of the employer. The fine changes to \$100 or 25 percent of the amount fraudulently withheld for employers, their officers or agents, or any other person for knowingly making false statements/representations or knowingly failing to disclose a material fact to prevent or reduce payment of benefits, whichever is greater. (Previously, the fine was \$100.)

*Overpayments.* If an employer fails to timely respond to the request for information, the representative designated by the director, or "deputy," shall rely on information from an affidavit with respect to wages and time worked, and if such affidavit is nonfraudulently erroneous, the claimant shall be liable for any refund that resulted in benefit overpayments prior to the receipt of the employer's reply. (Previously, a refund liability was not imposed on the claimant.)

Persons are now liable for any nonfraud unemployment benefit overpayments that occurred before the finding of the overpayment. (Previously, persons were not liable for such overpayments.)

The period for filing an appeal from an overpayment determination notice is extended to 20 (previously 10) calendar days after delivery or mailing of the determination notification to the last known address (applicable to any determination other than an initial determination made on or after December 2, 2010).

Notwithstanding any other provisions of law and notwithstanding the actual fund reserve ratio, for fiscal year 2011, column C of the Experience Rating Tax Table is required to be used to determine the contribution rate for employers liable to pay contributions. Column C provides that rates range from 0.5 percent to 3.6 percent for positive-reserve employers and from 5.1 percent to 5.8 percent for deficit-reserve employers. During fiscal year 2011, the tax rate for new employers shall be 2.8 percent.

### New Mexico

*Financing.* The use of Contribution Schedule 0 (zero) is required for assigning each employer's contribution rate from July 1, 2010, through December 31, 2010. The use of Contribution Schedule 1 is required for assigning each employer's contribution rate from January 1, 2011, through December 31, 2011. The use of one of Contribution Schedules 0–6 is required for each calendar year after 2011, except as otherwise provided, to assign each employer's rate. Use

- Contribution Schedule 0 if the fund equals at least 2.3 percent of the total payrolls (this is the most favorable schedule: its rates range from 0.03 percent to 5.40 percent),

- Contribution Schedule 1 if the fund equals less than 2.3 percent but not less than 1.7 percent of the total payrolls,
- Contribution Schedule 2 if the fund equals less than 1.7 percent but not less than 1.3 percent of the total payrolls,
- Contribution Schedule 3 if the fund equals less than 1.3 percent but not less than 1.0 percent of the total payrolls,
- Contribution Schedule 4 if the fund equals less than 1.0 percent but not less than 0.7 percent of the total payrolls,
- Contribution Schedule 5 if the fund equals less than 0.7 percent but not less than 0.3 percent of the total payrolls, and
- Contribution Schedule 6 if the fund equals less than 0.3 percent of the total payrolls (the least favorable schedule, with rates ranging from 2.7 percent to 5.40 percent).

The balance of the State unemployment trust fund, including all accrued earnings credited to such fund, is transferred to the unemployment compensation fund.

*Monetary entitlement.* The weekly benefit amount is changed to 53.5 percent (previously, 60.0 percent through June 30, 2011) of the average weekly wage for insured work in the base-period quarter in which total wages were highest. The weekly benefit amount may not be more than 53.5 percent (previously, 10.0 percent through June 30, 2011) of the State's average weekly wage for all insured work.

## New York

*Financing.* The \$750-per-employee penalty collected from employers that do not permit the return of employees to their prior position upon conclusion of an industrial-controversy strike and to which the employer has certified in writing are permitted to return shall be paid into the unemployment insurance control fund.

*Nonmonetary eligibility.* In the case of an industrial-controversy strike, unemployment compensation benefits shall not be suspended if the commissioner of the New York State Department of Labor determines that the claimants are not participating in the industrial controversy and

- are not employed by an employer that is involved in the industrial controversy that caused their unemployment, or

- are not in a bargaining unit involved in the industrial controversy that caused their unemployment.

## North Carolina

*Nonmonetary eligibility.* No substitute teacher or other substitute school personnel will be considered unemployed for days or weeks when not called to work unless the individual is or was employed as a full-time substitute during the period for which the individual is requesting benefits. For the purposes of this provision, "full-time substitute" is defined as a substitute employee who works more than 30 hours a week on a continual basis for a period of 6 months or more. (Previously, the law excluded from the definition of "employment" service performed by a substitute teacher or other substitute employee for a public, charter, or private school unless the individual was employed as a full-time substitute. An individual was employed as a full-time substitute when employed to work at least 30 hours per week over at least 6 consecutive months of a school year.)

Lawmakers have repealed the provision excluding from the definition of "employment" the performance of extra duties for a public, charter, or private school, such as coaching athletics, acting as a choral director, or performing other extra duties.

## Ohio

*Extensions and special programs.* The effective dates of the optional extended benefits (EB) "on" indicator based on the seasonally adjusted total unemployment rate (TUR) have been modified by providing that the provisions cease to be effective on the close of the last day of the week ending 4 weeks prior to the last week for which 100-percent Federal sharing is authorized by Federal law. (Previous language stated that the provisions cease to be effective either on December 6, 2009, or at the close of the last day of the week ending 3 weeks prior to the last week for which Federal sharing is authorized by Federal law, whichever is later; it also stated that EB were not payable beyond May 29, 2010.)

## Oklahoma

*Extensions and special programs.* The Shared Work Unemployment Compensation Program is created. An approved shared work plan is required to reduce the normal weekly hours of work for an employee in an affected

unit by not less than 20 percent and not more than 40 percent. An employer is required to maintain the fringe benefits of each employee in the affected unit at the benefit level in effect before implementation of the shared work plan. An employer is prohibited from implementing a shared work plan to subsidize seasonal workers or employees who work less than 32 hours per week. Employers with an experience tax rate of 5.4 percent or greater for a calendar year are ineligible to participate in the Shared Work Unemployment Compensation Program for that calendar year. Shared work benefits are limited to 26 weeks during the 12 consecutive calendar months that the shared work plan is in effect. The Oklahoma Employment Security Commission is permitted to terminate a shared work plan for good cause. The expiration date is the last day of the 12th full calendar month after the effective date of the shared work plan. No shared work benefit payment shall be made under any shared work plan for any week that commences before January 1, 2011.

## Pennsylvania

*Coverage.* The Construction Workplace Fraud Act is renamed the Construction Workplace Misclassification Act and specifies criteria for the determination of independent contractors in the construction industry for unemployment compensation and workers' compensation. An individual performing services in the construction industry for remuneration is an independent contractor only if

- the individual has a written contract to perform such services,
- the individual is free from control or direction over performance of such services both under the contract of service and in fact, and
- the individual is customarily engaged in an independently established trade, occupation, profession, or business rendering such services.

An employer, or an officer or agent, is in violation of the Construction Workplace Misclassification Act and will be subject to penalties, remedies, and other action if the employer, officer, or agent fails to properly classify individuals as employees for the purposes of the unemployment compensation law and fails to pay contributions, reimbursements or other amounts required to be paid under such law. Criminal penalties include a misdemeanor of the third degree for a first

offense and a misdemeanor of the second degree for any subsequent offense. Negligently failing to properly classify individuals is a summary offense and, upon conviction, a fine of not more than \$1,000 must be paid. The secretary of the Department of Labor and Industry may assess and collect civil penalties of not more than \$1,000 for the first violation and not more than \$2,500 for each subsequent violation for persons violating the act, which will be paid into the special administration fund of the unemployment compensation law.

### Rhode Island

*Financing.* Lawmakers have removed the provision requiring that a surtax of 0.3 percent of taxable wages be levied during years when the amount in the employment security fund available for benefits, net of obligations owed to the Federal Government, is less than zero at the end of the second month of any calendar quarter.

The job development assessment increases from 0.21 percent to 0.51 percent beginning with the 2011 tax year.

Beginning January 1, 2011, 0.02 percent of the job development assessment will be used to support necessary core services in the unemployment insurance and employment services programs, and 0.3 percent of the job development assessment will be deposited into a restricted receipt account to be used solely to pay the principal and/or interest due on Title XII advances; however, if the Title XII advances are repaid through a State revenue bond or other financial mechanism, the funds in the account may be used to pay the principal and/or interest that has accrued on the debt.

*Monetary entitlement.* The minimum dependents' allowance increases from \$10 to \$15 per dependent, and the total dependents' allowance payable to any claimant is capped at \$50 or 25 percent of the individual's weekly benefit amount, whichever is greater. (Effective January 1, 2011.)

*Nonmonetary eligibility.* Effective January 1, 2011, no individuals will be disqualified from receiving benefits due to separation from employment if the individuals quit

- because of the need to accompany their spouse to a place from which it is impractical for them to commute (because of a

change in the location of their spouse's employment); or

- because of the need to care for a member of the individuals' immediate family because of illness or disability.

### South Carolina

*Administration.* The Division of Employment Service and the Division of Unemployment Compensation are created within the Department of Employment and Workforce.

*Appeals.* A mandatory retirement age of 72 is established for members of the Employment and Workforce Appellate Panel, and limitations are placed on candidates seeking positions on the panel.

*Financing.* The employer experience rating system is changed from a reserve-ratio to a benefit-ratio system. For the period of January 1, 2011, through December 31, 2013, the benefit ratio is calculated annually to the sixth decimal place on July 1 by dividing the average of all benefits charged during the 40 calendar quarters (10 years) preceding the calculation date by the employer's average taxable payroll during the same period. Beginning with calendar year 2014, the benefit ratio will be determined by using 12 calendar quarters (3 years) of data or with any available data if the employer has fewer than 12 quarters of data. (Previously, all prior benefits and wages were used.)

The average required rate needed to pay benefits and achieve solvency targets is determined by dividing the income needed to pay benefits plus the income needed to reach the solvency target by the estimated taxable wages for the calendar year. This rate will be used in determining each employer's base rate.

For each calendar year the trust fund is in debt status, the Department of Employment and Workforce is required to estimate, with specified procedures, the amount of income needed to pay benefits for that year, the amount necessary to avoid automatic FUTA (Federal Unemployment Tax Act) credit reductions, and the amount necessary to repay all outstanding Federal loans within 5 years; interest costs are required to be determined concurrently. After the trust fund returns to solvency, the department is required to promulgate regulations regarding the income needed to pay benefits each year and to return the trust fund to an adequate target level. (An adequate target level for the fund means an average high-cost multiple of 1.)

A system is established to group employers into a 20-class array on the basis of their benefit ratios. The department must list all employers by order of benefit ratio, from the lowest benefit ratio to the highest benefit ratio. The employers must be grouped into classes ranked 1 through 20. Each class must contain approximately 5 percent of the total taxable wages (excluding reimbursable wages) that were paid in covered employment during the four completed calendar quarters immediately preceding the computation date. The rate for class 1 must be zero and that for class 20 must be at least 5.4 percent. If the benefit rate for class 20 exceeds 5.4 percent, the rate for each preceding class shall be equal to 90 percent of the rate calculated for the succeeding class, except that class 12 shall be set at 25 percent of the rate calculated for class 20. If the computed rate for class 20 is less than 5.4 percent, the rate for class 20 shall be 5.4 percent and

- the contribution rate for class 12 must be calculated by multiplying by 20 the average required rate needed to pay benefits and to achieve solvency, subtracting 5.4 percent, and then dividing by 19;
- the contribution rate for classes 11 through 1 must be equal to 90 percent of the rate for the succeeding class, provided the rate for class 1 shall be 0;
- the contribution rate for class 13 must be equal to 120 percent of the rate calculated for class 12; and
- the contribution rate for class 19 must be set at an amount that allows for average contributions, beginning at class 18 and ending with class 14, that are equal to 90 percent of the preceding class.

If an employer qualifies for two classes, the employer will be afforded the lower rate. Employers with identical ratios will be assigned to the same class. Employers with less than 12 consecutive months of coverage must have a base rate of at least class 13.

In any calendar year in which the trust fund is insolvent, the State shall impose additional surcharges on all employers to pay interest on the outstanding debt. The surcharge is calculated by dividing the estimated interest by the taxable payroll rounded up to the next one-hundredth of one percent.

The taxable wage base changes from \$7,000 to \$10,000 for calendar year 2011. For calendar years 2012–14, the wage base will be \$12,000. Beginning with calendar year 2015, the wage base will be \$14,000.

*Monetary entitlement.* The requirement for qualifying monetarily (see the definition of “insured worker”) changes to \$4,455 in the base period and \$1,092 in the high quarter (from \$900 in the base period and \$540 in the high quarter).

The minimum weekly benefit amount increases from \$20 to \$42.

Effective June 1, 2010, if individuals would not be eligible for benefits because of the use of a base period consisting of the first four of the last five completed calendar quarters, then their eligibility shall be determined by use of a base period that includes the last four completed calendar quarters.

*Nonmonetary eligibility.* Individuals shall not be denied from receiving benefits under provisions relating to availability for work, active search for work, or refusal to accept work solely because they are seeking only part-time work if a majority of the weeks of work in their base period include part-time work.

Individuals shall not be disqualified from receiving benefits due to separation from employment if that separation is for a “compelling family reason.” “Compelling family reason” means

- domestic violence, verified by documentation, that causes the individuals to reasonably believe that continued employment would jeopardize their safety or any immediate family member’s safety;
- the illness or disability of a member of the individuals’ immediate family; or
- the need for the individuals to accompany their spouse—because of a change in location of the spouse’s employment—to a place from which it is impractical for them to commute.

## South Dakota

*Extensions and special programs.* Claimants who have exhausted all rights to regular unemployment benefits and are unemployed, and who are enrolled in and making satisfactory progress in a State-approved training program or a job training program authorized under the Workforce Investment Act of 1998, will be entitled to an additional amount of benefits equal to 26 times their average weekly benefit amount for the most recent benefit year, less any deductible earnings. Such training program must prepare claimants for entry into a high-demand occupation who have been separated from a declining occupation or have been involuntarily and indefinitely

separated from employment because of a permanent reduction of operations at the claimants’ place of employment.

*Financing.* The taxable wage base increases from \$9,500 to \$10,000 for calendar year 2010. It is \$11,000 for calendar year 2011, \$12,000 for calendar year 2012, \$13,000 for calendar year 2013, \$14,000 for calendar year 2014, and \$15,000 for calendar year 2015 and thereafter.

For calendar year 2010 and thereafter, the maximum contribution rate increases from 8.50 percent to 9.50 percent. The minimum contribution rate remains at 0.00 percent. The increased contribution rates apply to and are retroactive to taxable wages paid on and after January 1, 2010.

Employer’s rates will incrementally increase if on the last day of any calendar quarter the amount in the unemployment compensation fund, including amounts receivable as Federal reimbursements that are due to the State for shareable benefit payments, is less than \$11 million. The rate increases range from 0.1 percent when the balance is greater than or equal to \$10.5 million but less than \$11 million, to 1.5 percent when the balance is less than \$5.5 million.

When tax rates increase because of a reduction in the unemployment compensation fund, the maximum contribution rate payable by any employer, including the adjustment percentage, is 12 percent (previously, 10.5 percent). The increased contribution rates may not exceed 1.0 percent for taxable wages paid for calendar year 2010 and may not exceed 0.75 percent for taxable wages for calendar year 2011. Effective January 1, 2012, any rate increase based on the reduction of the unemployment compensation fund will remain in effect for four consecutive calendar quarters. The rate for the second, third, and fourth quarters may increase on the basis of the fund balance on the last day of the immediately prior quarter, but may not decrease from the prior quarter during the aforementioned four consecutive quarters. The contribution rates apply to and are retroactive to taxable wages paid on and after January 1, 2010.

Benefits paid under the provision for part-time workers and the provision for additional benefits for “exhaustees” are excluded from being charged.

*Nonmonetary eligibility.* A claimant shall not be denied regular unemployment benefits relating to availability for work, active search for work, or refusal to accept work, solely be-

cause of seeking only part-time work, if it is determined that a majority of the weeks of work in his/her base period were for less than full-time work. The term “seeking only part-time work” is defined to mean seeking work that has hours comparable to the individual’s part-time work experience in the base period.

## Tennessee

*Administration.* A refund of State taxes claimed by a taxpayer in the amount of \$200 or more may be used to offset the taxpayer’s debts of an overpayment of unemployment compensation benefits or amounts owed to the unemployment compensation fund (applies to any claim for a refund filed with the Department of Revenue on or after July 1, 2009, that has not been finally determined).

*Nonmonetary eligibility.* Benefits will not be reduced for or denied to any otherwise eligible claimant because of such claimant’s enrollment in an institution of higher education.

## Utah

*Administration.* The Utah Department of Workforce Services must submit an annual report to the Workforce Employment Advisory Council and to the legislature’s Workforce Services and Community and Economic Development Interim Committee by November 30, 2010, and annually thereafter. The report must address the impact of the amendment regarding the use of the base period consisting of the last four completed calendar quarters and the amendment regarding the unemployment insurance trust fund. The Interim Committee must make recommendations to the legislature from the annual report that may include modifications or the repeal of those amendments.

Some of the penalties for persons and officers or agents of an employing unit who are guilty of unemployment insurance fraud are as follows:

- class B misdemeanor when the value of the money is less than \$500 (previously \$300),
- class A misdemeanor when the value of the money is or exceeds \$500 (previously \$300) but is less than \$1,500 (previously \$1,000), and
- third-degree felony when the value of the money is or exceeds \$1,500 (previously \$1,000) but is less than \$5,000.

*Monetary entitlement.* If individuals would not be eligible for benefits because of the use of a base period consisting of the first four of the last five completed calendar quarters, then their eligibility will be determined by use of a base period consisting of the last four completed calendar quarters (applicable for benefit years effective on or after January 2, 2011).

Wages from the base period used to establish eligibility cannot be used to qualify a person for benefits in any subsequent benefit year.

The formula calculating the weekly benefit amount changed *from* one-twenty-sixth, disregarding any fraction of \$1, of insured wages paid in the quarter of the base period with the highest wages *to* one-twenty-sixth minus \$5, disregarding any fraction of \$1 of insured wages paid in the quarter of the base period with the highest wages (applicable to benefit years beginning on or after December 12, 2010).

The formula calculating the maximum weekly benefit amount payable changed *from* 62.5 percent of the insured average fiscal year weekly wage during the preceding fiscal year, disregarding any fraction of \$1, *to* 62.5 percent of the insured average fiscal year weekly wage during the preceding fiscal year minus \$5, disregarding any fraction of \$1 (applicable to benefit years beginning on or after December 12, 2010).

*Nonmonetary eligibility.* The offset for receipt of Social Security benefits against unemployment compensation changed from 50 percent to 0.0 percent (applicable to benefit years beginning on or after December 12, 2010). (Previously, the 50-percent offset applied to benefit years ending on or before July 1, 2011.)

## Vermont

*Administration.* The Vermont Department of Labor is required to implement reemployment services and a policy that prioritizes claimants for such services, effective July 1, 2010.

*Extensions and special programs.* An individual who has exhausted all rights to regular unemployment compensation, and who is enrolled in and making satisfactory progress in a State-approved training program or a job training program authorized under the Workforce Investment Act of 1998, shall be entitled to an additional amount of benefits equal to 26 times his or her average weekly benefit amount for the most recent benefit year. Such

training programs shall prepare individuals for entry into a high-demand occupation who have been separated from a declining occupation or who have been involuntarily separated from employment because of a permanent reduction in operations at their place of employment.

*Financing.* The taxable wage base increased from \$10,000 to \$13,000 for calendar year 2011 and increases to \$16,000 for calendar year 2012. After January 1, 2012, whenever the unemployment compensation fund has a positive balance and all Title XII advances to the State unemployment compensation fund have been repaid as of June 1, the taxable wage base shall be adjusted on January 1 of the following year by the same percentage as any increase in the State annual average wage. When contribution rate schedule I or III is in effect, the taxable wage base shall be reduced by \$2,000 the following January 1 and shall be adjusted annually thereafter on January 1 of the following year by the same percentage as any increase in the State annual average wage. (Effective July 1, 2010.)

An employing unit failing to submit separation information is not relieved of charges for benefits before the week following the receipt of such information, effective July 1, 2010. Previous law provided that, if an employing unit fails to submit separation information, an employer's experience-rating record shall not be relieved of charges unless within 30 days after notice the employer files an appeal from the determination and the determination is ultimately reversed.

*Monetary entitlement.* The \$425 maximum weekly benefit amount adjusts on the first day of the first calendar week of July by a percentage equal to the percentage change during the preceding calendar year in the State average weekly wage when the State unemployment compensation fund has a positive balance and all Title XII advances to such fund have been repaid as of December 31 of the last completed calendar year. When contribution rate schedule III is in effect, the maximum weekly benefit amount shall be adjusted on the first day of the first calendar week of July to an amount equal to 57 percent of the State annual average weekly wage. The maximum weekly benefit amount shall not increase in any year that Title XII advances remain unpaid. (Effective July 1, 2011.)

Individuals who elect to have Federal income tax deducted and withheld from unemployment insurance benefits shall have State

income tax withheld at 24 percent of the Federal rate.

The maximum total amount of benefits payable (benefit entitlement) changes from 26 times an individual's weekly benefit amount to 26 times an individual's weekly benefit amount or 46 percent of the total base-period wages paid, whichever is lesser. When an individual is discharged by the last employing unit for misconduct connected with work, the benefit entitlement is limited to the amount computed in the previous sentence or 23 times the individual's weekly benefit amount, whichever is lesser, provided that the individual has not already received more than 23 weeks of benefits in the benefit year. (Effective July 1, 2011.)

To be eligible to receive benefits (including short-time compensation benefits) a totally or partially unemployed individual must serve a 1-week waiting period during the benefit year and any extended eligibility period, effective July 1, 2012. The 1-week waiting period is repealed effective July 1, 2017, or when the unemployment compensation fund has a positive balance, whichever is later.

*Nonmonetary eligibility.* Those wages in the base period paid by an employing unit from which an individual was separated because of gross misconduct are cancelled (effective July 1, 2011).

In determining if one is available for work during any week, an individual may be required to participate in reemployment services.

When discharged for misconduct from their last employer, individuals are disqualified for 6–15 (previously 6–12) weeks immediately following the filing of a claim (in addition to the waiting period).

The term "gross misconduct" means conduct directly related to the employee's work performance that demonstrates a flagrant, wanton, and intentional disregard of the employer's business interest, and that has a direct and significant impact upon the employer's business interest, including but not limited to theft, fraud, intoxication, intentional serious damage to property, intentional infliction of personal injury, any conduct that constitutes a felony, or repeated incidents after written warning of either unprovoked insubordination or public use of profanity.

## Virginia

*Monetary entitlement.* For claims effective on or after July 6, 2008, but before July 3,



2011 (previously July 4, 2010), the minimum weekly benefit amount remains at \$54 and the maximum weekly benefit amount remains at \$378; a total of \$2,700 in the two high quarters of the base period remains the amount needed to monetarily qualify, and \$18,900.01 remains the minimum amount required for the maximum weekly benefit amount.

For claims effective on or after July 3, 2011, the minimum weekly benefit amount increases from \$54 to \$60 and the maximum weekly benefit amount remains at \$378, a total of \$3,000 (previously \$2,700) in the two quarters of the base period with the highest wages is needed to monetarily qualify, and \$18,900.01 remains the minimum amount required for the maximum weekly benefit amount.

*Overpayments.* The commissioner of the Virginia Employment Commission is allowed to negotiate repayments of overpayments. The repayment terms may include

- deductions up to 50 percent of payable benefits (previously only 50 percent),
- the ability to forego the collection of the payable amount until the recipient has found employment, or
- the ability to determine and institute an individualized repayment plan.

Overpayments caused by administrative error will be collected only by an offset against future benefits or a negotiated repayment plan. However, if the individual fails to enter into or comply with the terms of the repayment plan, the commissioner of the Virginia Employment Commission may institute any other method of collection.

## Wisconsin

*Administration.* Professional employer organizations must be registered with the Department of Regulation and Licensing (effective September 1, 2010).

The department must be named as a party in the complaint when an employing unit files for judicial review.

Fees and expenses assessed by the U.S. Secretary of the Treasury for use of the Treasury Offset Program may be withdrawn from the Unemployment Reserve Fund.

The maximum fine is increased from \$500 to \$1,000 for anyone who

- makes a deduction from the wages of an employee because of liability for contributions or payments in lieu of contributions;
- refuses or fails to furnish an employee any notice, report, or information required by the statute;
- promises to reemploy, threatens not to employ, or threatens to terminate an employee, or induces an employee to refrain from claiming benefits, from participating in an audit or investigation by the Department of Regulation and Licensing, or from testifying at a hearing; or
- discriminates or retaliates against an individual because the individual claims benefits, participates in an audit or investigation by the department, or testifies at a hearing.

*Coverage.* Neither members of an elective legislative body nor the judiciary of an Indian tribe will be considered employees.

Service by an individual to care for an ill or disabled family member is not considered employment. The term “family member” as defined in this provision means a spouse, parent/stepparent, child/stepchild, grandparent, grandchild (by birth or adoption), or domestic partner. (Effective December 31, 2010, with respect to contribution requirements, and effective for benefit years beginning on or after January 2, 2011, with respect to benefit eligibility.)

Full-time work is defined as 32 or more hours per week, and part-time work as less than 32 hours per week (effective with weeks of unemployment beginning on or after July 3, 2011).

*Extensions and special programs.* Claimants may receive an additional amount of benefits of not more than 26 times their weekly benefit amount for the most recent benefit year while enrolled in a training program. Such training programs will prepare individuals for entry into a high-demand occupation who have been separated from a declining occupation or who have been involuntarily separated from employment because of a permanent reduction in operations at their place of employment.

*Financing.* An employer that suffers physical damage to its business caused by a catastrophic event for which the employer is not primarily responsible, and that incurs benefit charges to its account for layoffs because of the damage, may make a voluntary contribu-

tion to increase the employer’s reserve percentage to no greater than it would have been had the damage not caused the employer to lay off its employees.

Any excess interest assessment will be credited to the balancing account. (Previously, the excess was retained in the administrative account.)

*Nonmonetary eligibility.* Training that is approved under the Trade Act of 1974 and the Federal Workforce Investment Act of 1998 has been added to the definition of approved training.

The department shall not deny benefits for any of the following reasons: (1) An individual voluntarily quits unsuitable work to enter training under the Trade Act of 1974. (2) The work being quit was engaged in on a temporary basis during a break in the training or a delay in the commencement of the training. (3) The individual left on-the-job training not later than 30 days after commencing the training because the individual did not meet the requirements of the Trade Act of 1974.

A bonus or profit-sharing payment is considered to be earned in the week the bonus or payment is made by the employer.

When a pension payment is actually or constructively received on other than a periodic basis, the department will allocate the payment to the week in which it was received.

*Overpayments.* Overpayments resulting from fraud may be offset by intercepting the individual’s Federal income tax refund.

## Wyoming

*Administration.* The Wyoming Department of Employment is allowed to conduct and publish statistical analyses of payroll and employment in State agencies within the executive branch that may reveal the identity of State agency employing units.

*Financing.* The department is required to consolidate the separate accounts and benefit experience of an employer that acquires the trade, the business, the organization, or substantially all the assets of an employer. The new contribution rate will be effective the first day of the calendar quarter following the date of acquisition.

The penalty for failure to make required payments, pay assessments of interest, and pay penalties within 90 days of the receipt of a bill is expanded to all reimbursing employers. (Previously, it applied only to Indian tribes.)

The department is allowed to enter into an agreement for installment payments for delinquent tax and interest liabilities when repayment requirements are met and a lump-sum payment would cause severe inconvenience to the taxpayer.

Certain employers with a construction cost equal to or greater than the threshold construction cost defined by the industrial sitting council (previously, a construction cost

of \$100 million) are required to be assessed payments for an incremental bond.

*Overpayments.* The alternative start date for the 52-week disqualification period for fraud is changed *from* the date that notice of the overpayment determination or decision is mailed to the claimant *to* beginning the week following the date that notice of the overpayment is mailed to the claimant.

Individuals are allowed to repay overpaid benefits through a voluntary reimbursement agreement, and the department may accept repayment without civil action pursuant to an approved payment schedule.

The period for cancellation of overpayments or penalties is changed to 8 years from the effective date of the claim resulting in overpayment (previously, 5 years) when certain conditions are met. □

## The compensation-productivity gap: a visual essay

Susan Fleck, John Glaser, and Shawn Sprague

Productivity and compensation measures yield information on the extent to which the employed benefit from economic growth. Productivity growth provides the basis for rising living standards; real hourly compensation is a measure of workers' purchasing power. Increases in labor productivity—the most commonly used productivity measure—reflect investments in capital equipment and information technology, and the hiring of more highly skilled workers. Employers' ability to raise wages and other compensation is tied to increases in labor productivity. Since the 1970s, growth in inflation-adjusted, or real, hourly compensation has lagged behind labor productivity growth. This gap between the two measures is the subject of this visual essay.

The gap between real hourly compensation and labor productivity is one of a number of “wage gaps” that indicate whether workers' compensation or wages keep up with productivity. There are a number of sources for compensation measures, as well as different ways to apply price indexes to adjust for inflation.<sup>1</sup> This visual essay presents real hourly compensation data based on compensation data from the National Income and Product Accounts, which is the same source that the BLS productivity program uses for output. Compensation data are adjusted by using a consumer price index, and output is adjusted by using an implicit price deflator. The gap between real hourly compensation and labor productivity will be referred to in this essay as the compensation-productivity gap.

This visual essay presents relationships that are definitional rather than causal. There are two main

components that account for the magnitude and direction of the compensation-productivity gap. The first is the difference between the price indexes used to adjust for inflation in the BLS hourly compensation and productivity measures. The Consumer Price Index and the implicit price deflator comprise different baskets of goods and services; if consumer prices rise more quickly than output prices, purchasing power falls and the compensation-productivity gap grows.

The second component, “labor share,” is the share of output accounted for by employees' compensation. Labor share is a measure of how much of the economic pie goes to all workers. When labor share is constant or rising, workers benefit from economic growth. When labor share falls, the compensation-productivity gap widens. Concurrently, nonlabor costs—which include intermediate inputs into production and returns to investments, or profits—represent a greater share of output. Because real hourly compensation and labor productivity, which is output per hour, both include hours worked in their calculations, changes in hours worked have no impact on the gap.

The series of charts in this visual essay presents an overview of the growing compensation-productivity gap, using this measure and others to examine the U.S. nonfarm business and manufacturing sectors. The nonfarm business sector accounts for three-fourths of output and employment in the total economy; manufacturing—a portion of nonfarm businesses—produced about 11 percent of U.S. output and accounted for just over 8 percent of total U.S. employment in 2009. The data presented are published by the major sector productivity program at BLS.

More than 60 years of quarterly and annual data, spanning 11 cycles of recessions and expansions, showcase trends in productivity and real hourly compensation. Some of the line charts highlight the cyclical nature of productivity, which generally declines in recessions and rises during expansions. Productivity and compensation trends also reflect long-term changes in production. The bar charts show long-term trends by use of annual data grouped into periods that contain multiple business cycles.

Quarterly data are presented through the third quarter of 2010. Annual data for the nonfarm business sector are available through 2009. Preliminary manufacturing productivity and real hourly compensation measures are available through the most recent quarter of 2010 on a quarterly basis and through 2009 on an annual basis, but the data used to calculate price adjustments and labor share are available only through 2008. Furthermore, multifactor productivity measures are published for 1987 through 2008 only. This explains why charts 8 through 11, which include data for the manufacturing sector, end at 2008.

A peak in economic activity marks the end of an economic expansion, and a trough marks the end of a recession. These turning points are officially designated by the National Bureau of Economic Research (see [www.nber.org/cycles/cyclesmain.html](http://www.nber.org/cycles/cyclesmain.html)). In all of the line charts except for chart 11, recessionary periods have been shaded. They are shaded to include the month after the peak month through the trough month. The trough of the most recent recession was June 2009.

Most of the charts focus on labor productivity as it relates to compensation; others show the relative changes in price indexes or labor share of output. Chart 11 uses multifactor productivity measures to show the changing trends in labor costs and other costs. These measures and all others included in this visual essay, except for the implicit price deflator (IPD) for nonfarm business output, are prepared by the Division of Major Sector Productivity in the Office of Productivity and Technology at the Bureau of Labor Statistics. Productivity measures incorporate data published primarily by other Bureau of Labor Statistics programs, the Bureau of Economic Analysis (BEA), and the Federal Reserve Board.

The real hourly compensation measures used in this essay differ from other compensation measures published by BLS. The productivity program develops the measures on the basis of BLS and BEA data, making adjustments for coverage. The IPD for nonfarm business output is published by the BEA. The consumer price index prepared by the BLS productivity program is the quarterly average of the monthly BLS Consumer Price Index for all Urban Consumers Research Series (CPI-U-RS) for 1978 through the most recent full year, currently 2009. Changes in the BLS CPI for all Urban Consumers (CPI-U) are used to estimate an index for years prior to 1978 and for recent quarters. The productivity program's consumer price index based on these measures is displayed in this essay.

Data are presented as indexes and growth rates. Index measures are derived from data on output, hours worked, prices, compensation, and other non-labor inputs. Comparing data which are based on different units and levels—such as billions of dollars and thousands of hours—can skew analysis. To improve comparative analysis among widely different measures over long periods of time in the line charts, the indexes were rebased to 100 in the beginning period for easier visual comparison, and then natural logarithms were calculated to ensure constant proportionality of the growth of each index across time. Without this logarithmic transformation, the line graphs would tend to show greater variability towards the end of the period. The growth rates are percent changes in quarterly or annual indexes and are compounded annual growth rates. The compensation–productivity gap is the percentage-point difference between the compounded annual growth rates of real hourly compensation and productivity over the same period. All quarterly data are seasonally adjusted.

The charts presented here are based on the December 1, 2010, Productivity and Costs news release prepared by BLS. The data in charts 1 through 10 are updated eight times a year in the Productivity and Costs news release. The data in chart 11 are updated once each year in the Multifactor Productivity Trends in Manufacturing news release, most recently published on November 18, 2010. Data are quar-

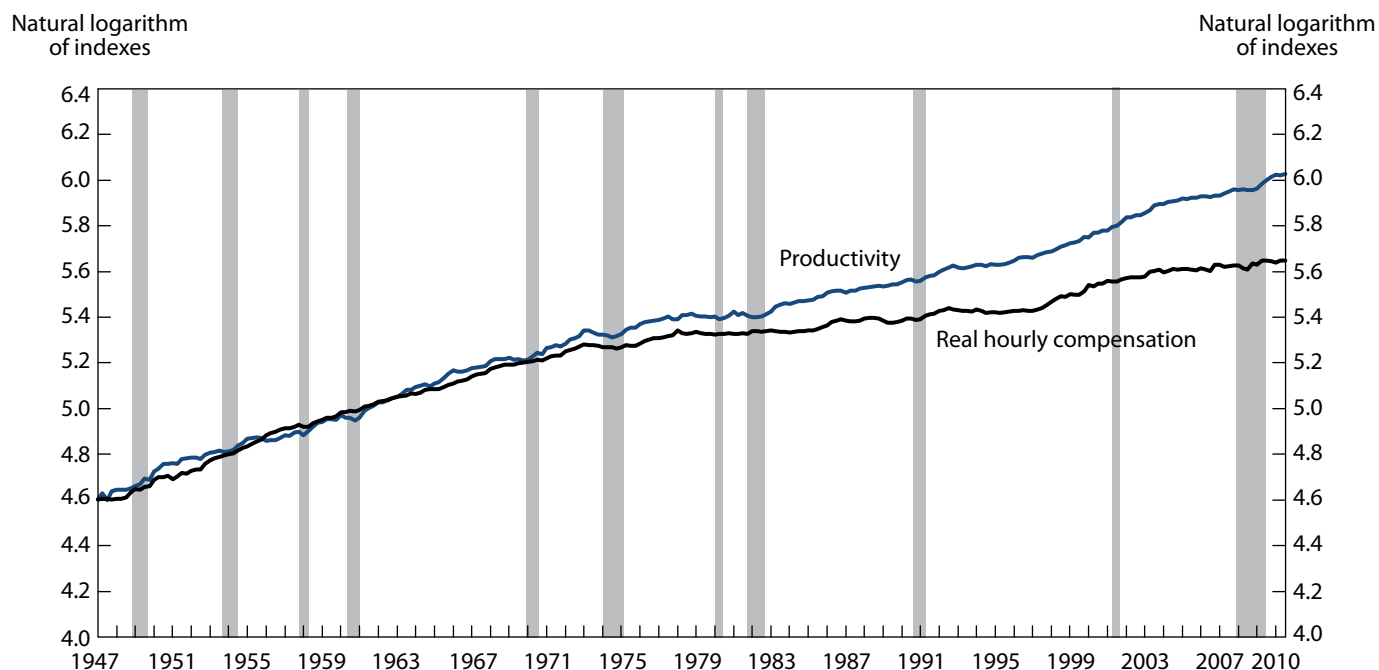
terly or annual, depending on the data series. Data are available by accessing the BLS Web site at [www.bls.gov/data/home.htm](http://www.bls.gov/data/home.htm) or by contacting the BLS Division of Major Sector Productivity by telephone at (202) 691-5606 or by e-mail at [DPRWEB@bls.gov](mailto:DPRWEB@bls.gov). This essay was prepared by Susan Fleck, division chief; John Glaser, supervisory economist; and Shawn Sprague, economist; all of whom work in the Division of Major Sector Productivity in the Office

of Productivity and Technology at the Bureau of Labor Statistics.

### Note

<sup>1</sup> For a comparison of BLS compensation measures, see Joseph R. Meisenheimer II, "Real compensation, 1979 to 2003: analysis from several data sources," *Monthly Labor Review*, May 2005, pp. 3–22, on the Internet at [www.bls.gov/opub/mlr/2005/05/art1full.pdf](http://www.bls.gov/opub/mlr/2005/05/art1full.pdf) (visited Jan. 18, 2011).

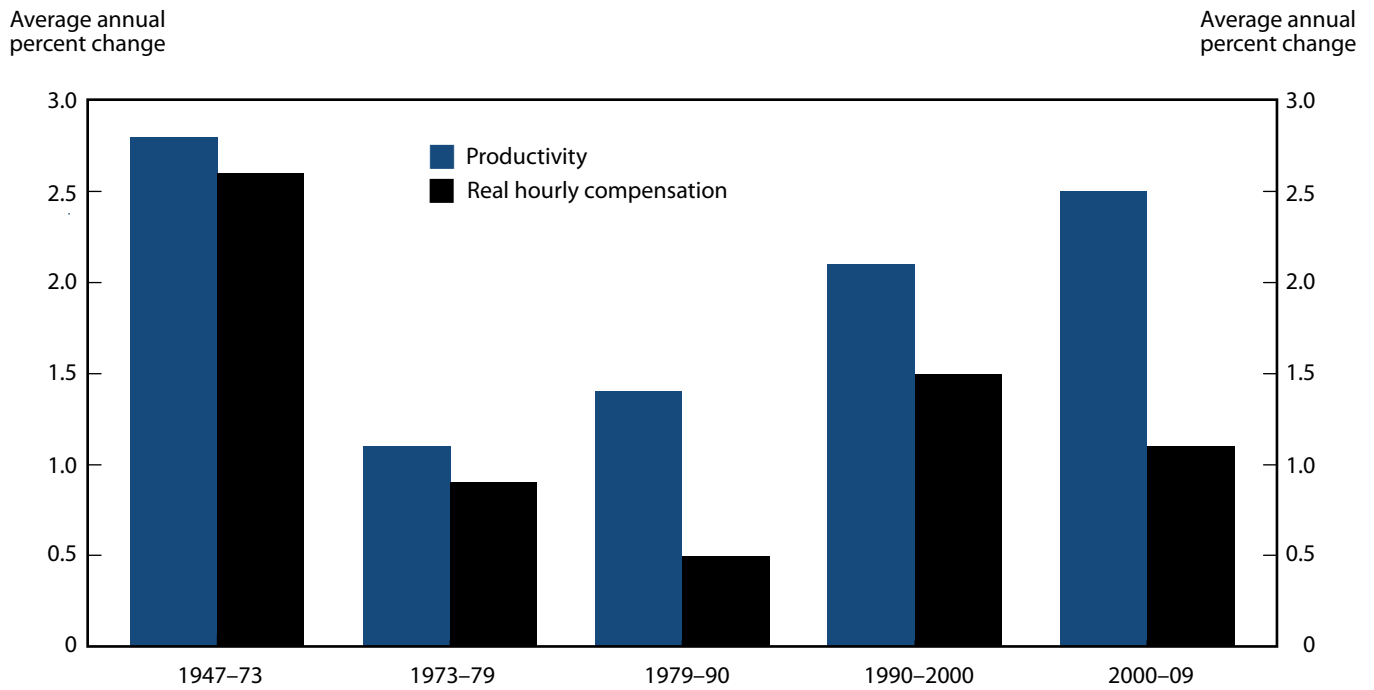
## 1. Productivity and real hourly compensation, nonfarm business sector, first quarter 1947–third quarter 2010



NOTE: The shaded bars denote National Bureau of Economic Research (NBER)-designated recessions.

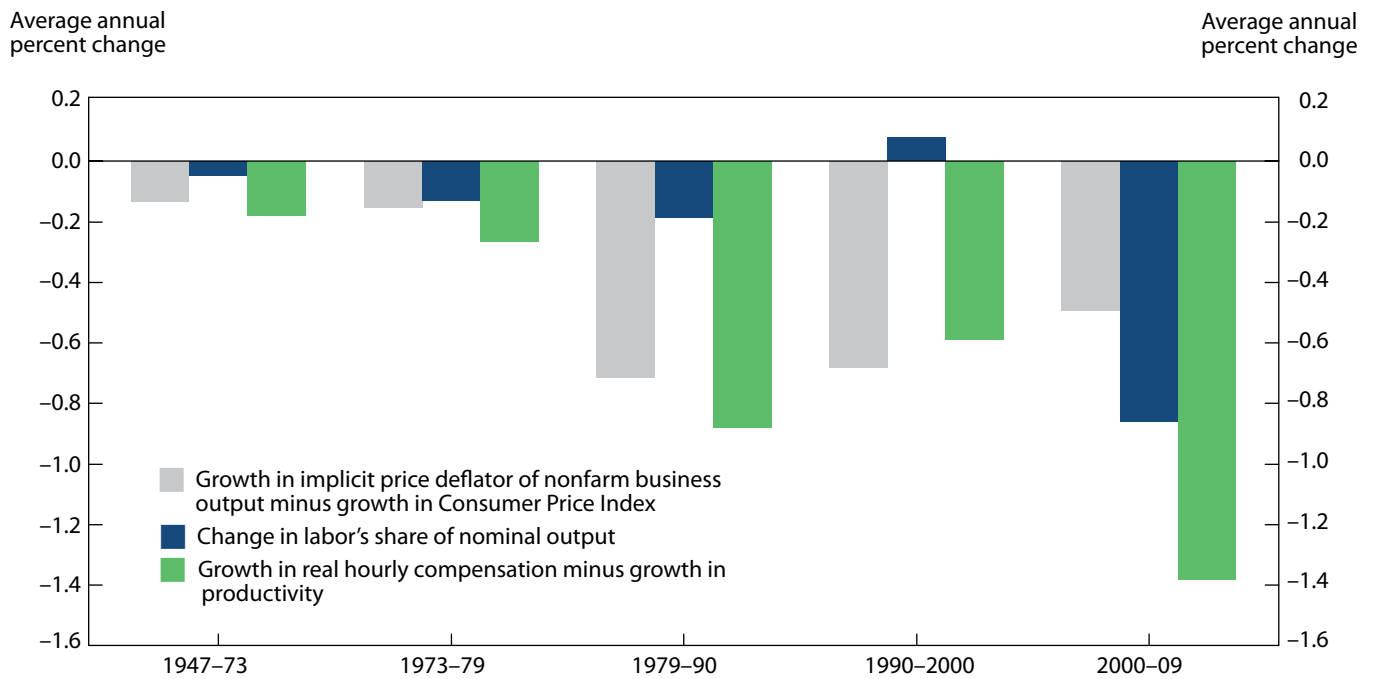
- Labor productivity is output, adjusted for price changes, divided by hours worked at all jobs. Productivity in the U.S. nonfarm business sector grew an average of 2.2 percent per year over the past 63 years, despite a prolonged slowdown from 1973 to 1995.
- Real hourly compensation is the hourly cost to businesses, adjusted for price changes, of wages, salaries, and benefits paid to workers. Real hourly compensation grew at an average annual rate of 1.7 percent over the 63-year period. Since the 1970s, real hourly compensation has grown more slowly than productivity.

## 2. Productivity growth and real hourly compensation growth, nonfarm business sector, selected periods, 1947–2009



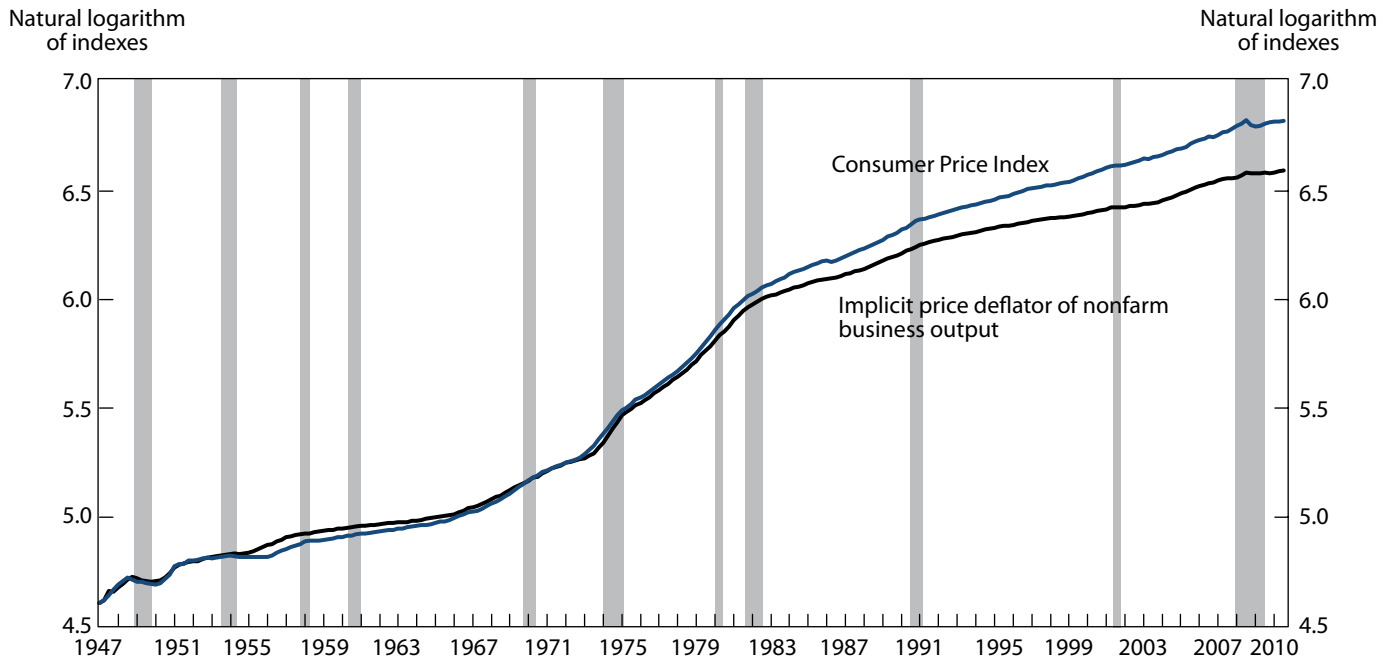
- Growth of productivity and real hourly compensation was robust until 1973, at which time growth slowed for both.
- Real hourly compensation growth failed to keep pace with accelerating productivity growth over the past three decades, and the gap between productivity growth and compensation growth widened.

### 3. Changes in price differences, labor share, and the compensation-productivity gap, nonfarm business sector, selected periods, 1947–2009



- There are two components that account for the gap between real hourly compensation growth and productivity growth. The first is the difference between the price indexes used to account for inflation in the BLS productivity and hourly compensation measures. The second is the change in “labor share,” which, as explained earlier, is the share of output that is accounted for by workers’ wages, salaries, and benefits.
- Before 2000, the difference between the growth rates of the CPI and the IPD—that is, the difference in inflation rates—explained most of the gap in each period. For 2000 to 2009, an unprecedented decline in labor share accounted for most of the gap.

#### 4. Price indexes, nonfarm business sector, first quarter 1947–third quarter 2010



NOTE: The shaded bars denote National Bureau of Economic Research (NBER)-designated recessions.

- A price index measures the price of a basket of goods and services over time. The compensation–productivity gap is partly accounted for by the difference between the two price indexes used to remove the effect of inflation. The implicit price deflator, used to remove the effect of inflation on output, measures price changes in the goods and services produced in the nonfarm business sector. The Consumer Price Index measures price changes in the basket of goods and services purchased by families and workers; it is used to calculate real hourly compensation.
- The Consumer Price Index has grown more quickly than the implicit price deflator in recent decades. The difference can be explained partly by computers. Since the 1990s, computers have represented a larger share of nonfarm business output than of consumer purchases. As the cost of computers fell, the effect of ever-cheaper computers slowed the growth of output prices more than it slowed the growth of the CPI.



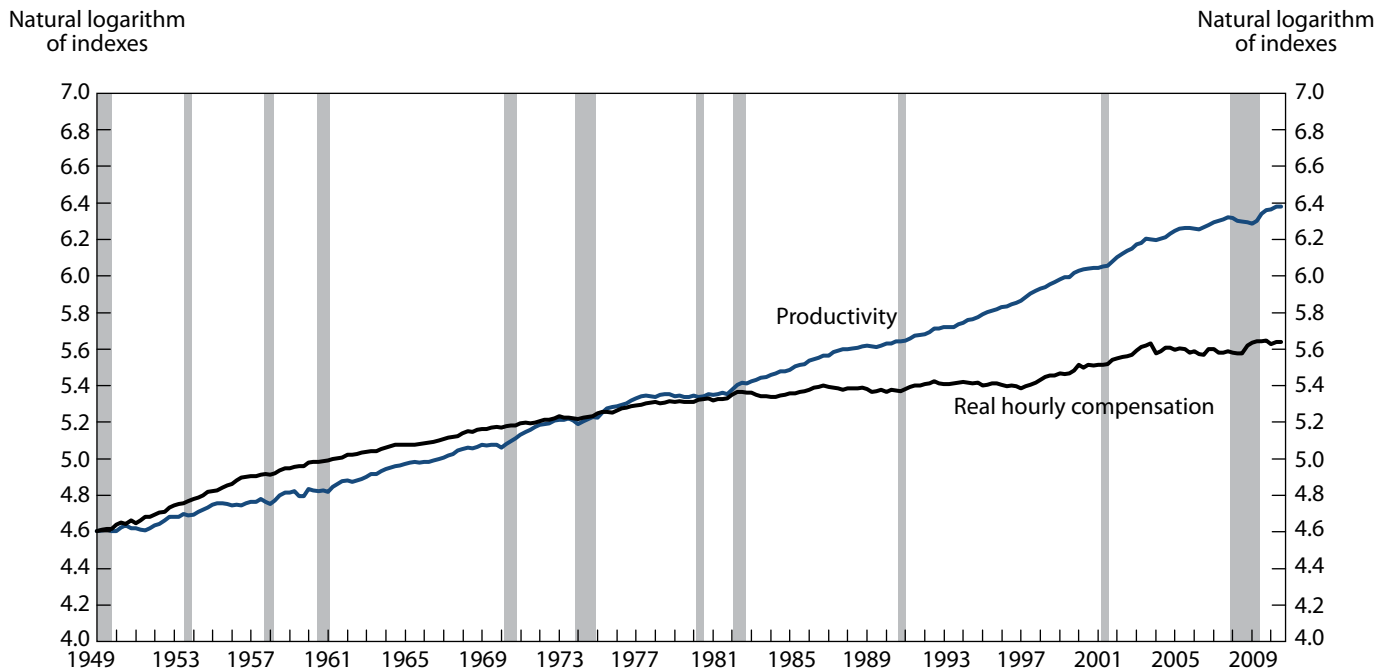
## 5. Labor share of nonfarm business sector output, first quarter 1947–third quarter 2010



NOTE: The shaded bars denote National Bureau of Economic Research (NBER)-designated recessions.

- Labor share is the portion of output that employers spend on labor costs (wages, salaries, and benefits) valued in each year's prices. Nonlabor share—the remaining portion of output—includes returns to capital, such as profits, net interest, depreciation, and indirect taxes.
- Labor share averaged 64.3 percent from 1947 to 2000. Labor share has declined over the past decade, falling to its lowest point in the third quarter of 2010, 57.8 percent. The change in labor share from one period to the next has become a major factor contributing to the compensation–productivity gap in the nonfarm business sector.

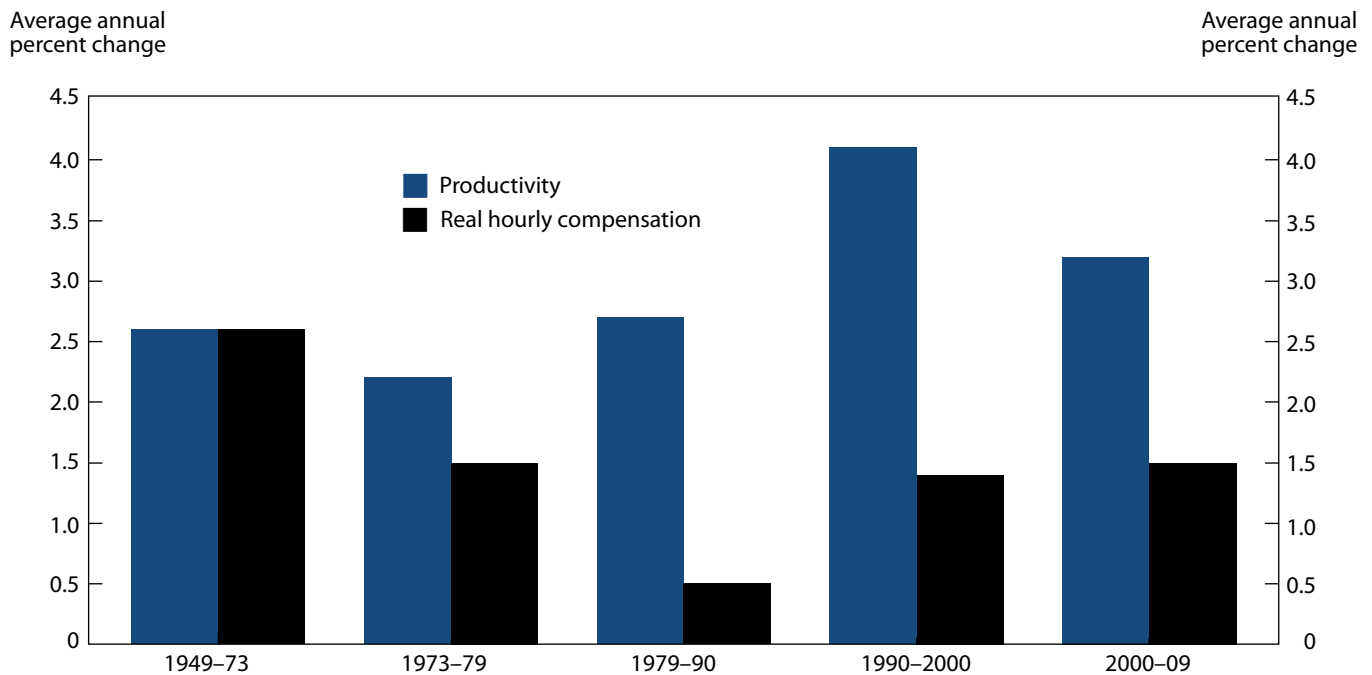
### 6. Productivity and real hourly compensation, manufacturing sector, first quarter 1949–third quarter 2010



NOTE: The shaded bars denote National Bureau of Economic Research (NBER)-designated recessions.

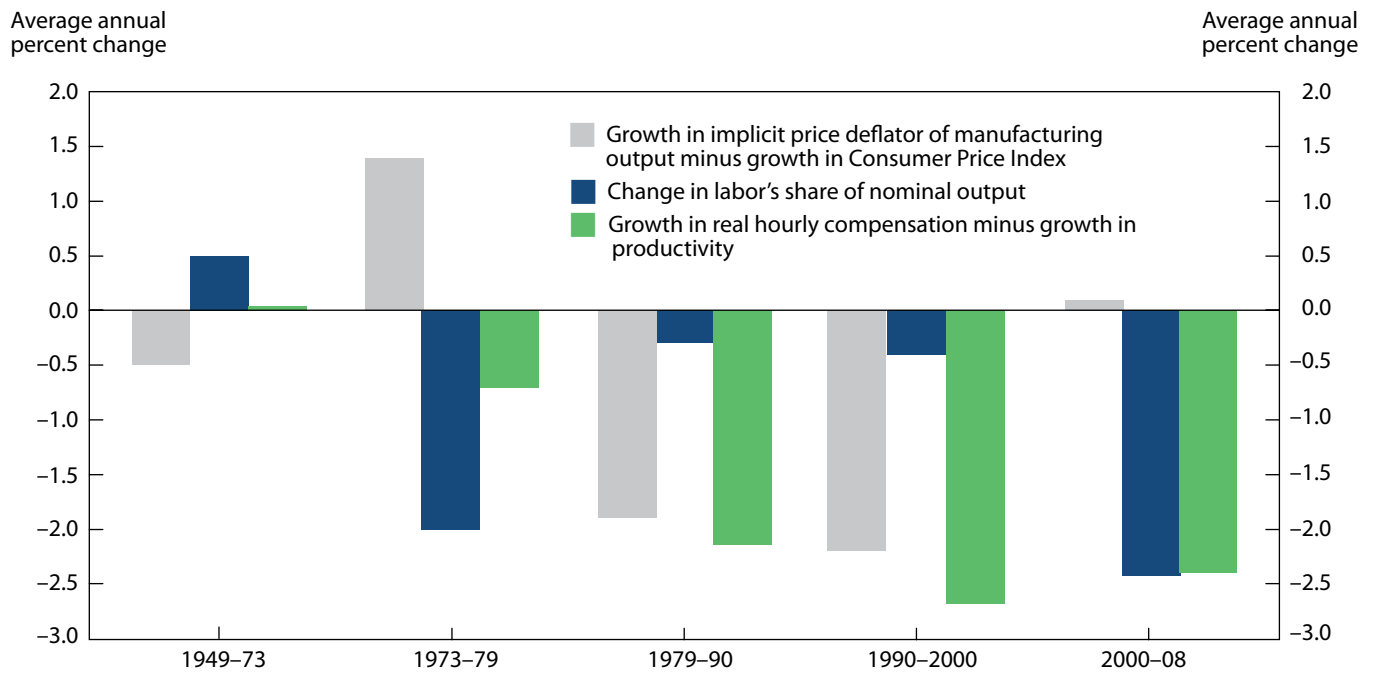
- Productivity in the manufacturing sector has risen 2.9 percent on average each year since 1949, despite a slowdown from 1973 through 1981.
- Growth in real hourly compensation kept ahead of productivity growth in the manufacturing sector until the mid-1970s. Subsequently, productivity continued its upward trend, whereas real hourly compensation growth was relatively flat.

## 7. Productivity growth and real hourly compensation growth, manufacturing sector, selected periods, 1949–2009



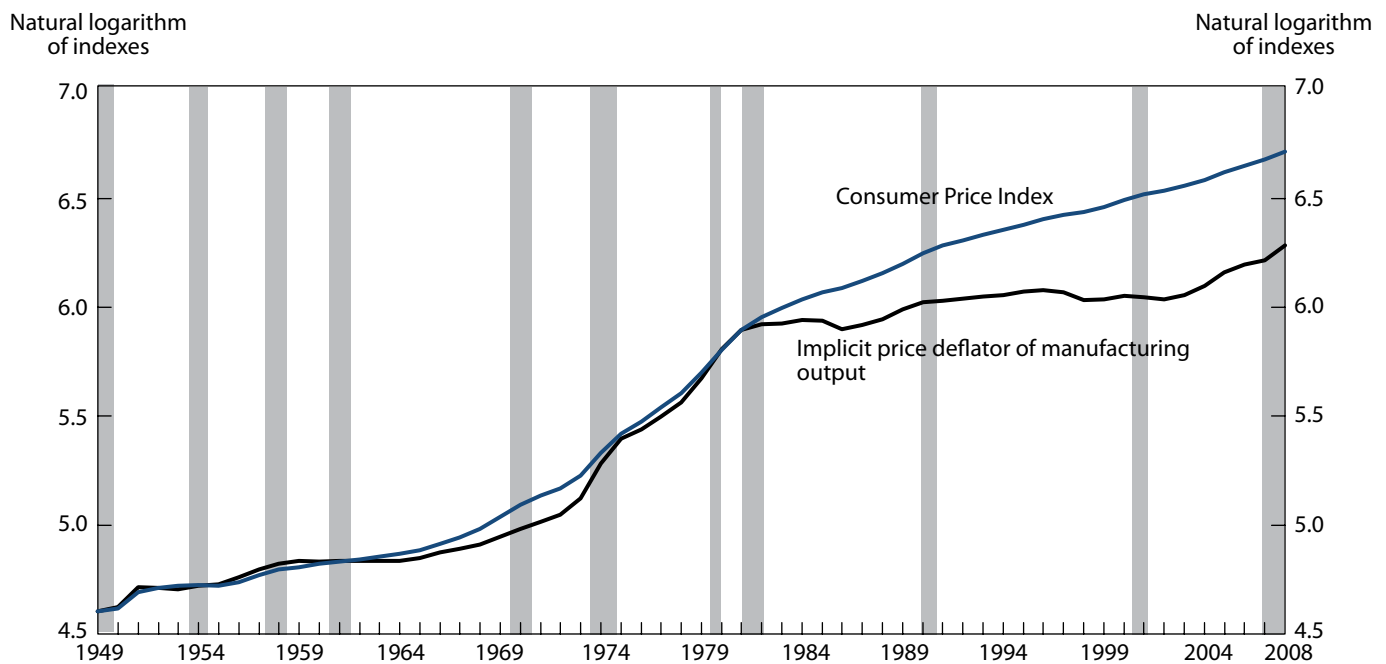
- Growth of productivity and real hourly compensation in manufacturing was robust until the 1973–79 period. The productivity slowdown in manufacturing was not as severe as that in nonfarm business as a whole.
- Manufacturing productivity growth rates from the 1980s and after surpassed the sector's earlier growth rates. Real hourly compensation growth, in contrast, slowed greatly in the 1980s and has not kept up with productivity gains.

**8. Changes in price differences, labor share, and the compensation-productivity gap, manufacturing sector, selected periods, 1949–2008**



- The compensation–productivity gap in the manufacturing sector emerged after 1973.
- The widening gap in the 1980s and 1990s reflected growing differences between the CPI and the IDP. From 2000 to 2008, the decline in labor share had a large effect on the compensation–productivity gap.

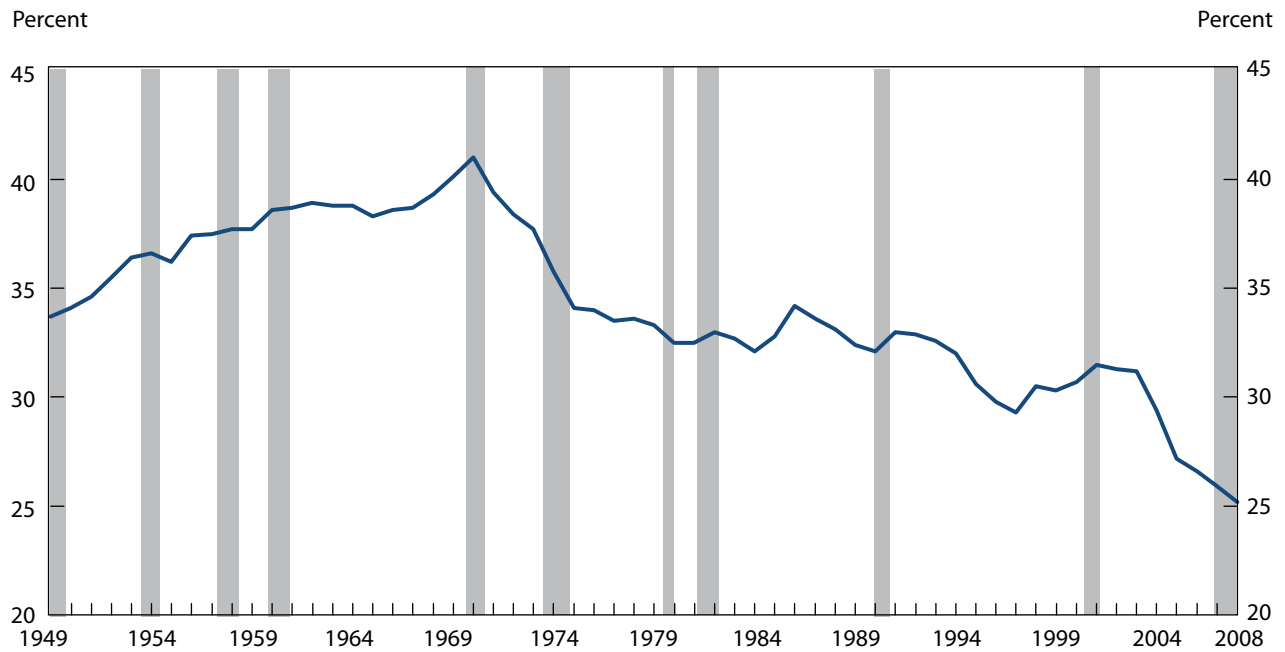
## 9. Price indexes, manufacturing sector, 1949–2008



NOTE: The shaded bars denote National Bureau of Economic Research (NBER)-designated recessions.

- The same consumer price index accounts for inflation in compensation in both all nonfarm business and the manufacturing sector. The implicit price deflator for manufacturing output differs from that for nonfarm business output. The CPI and the manufacturing IPD tracked each other closely until the 1980s.
- As the manufacturing sector faced growing international competition, prices of manufactured goods grew more slowly than the CPI and, at times, fell.

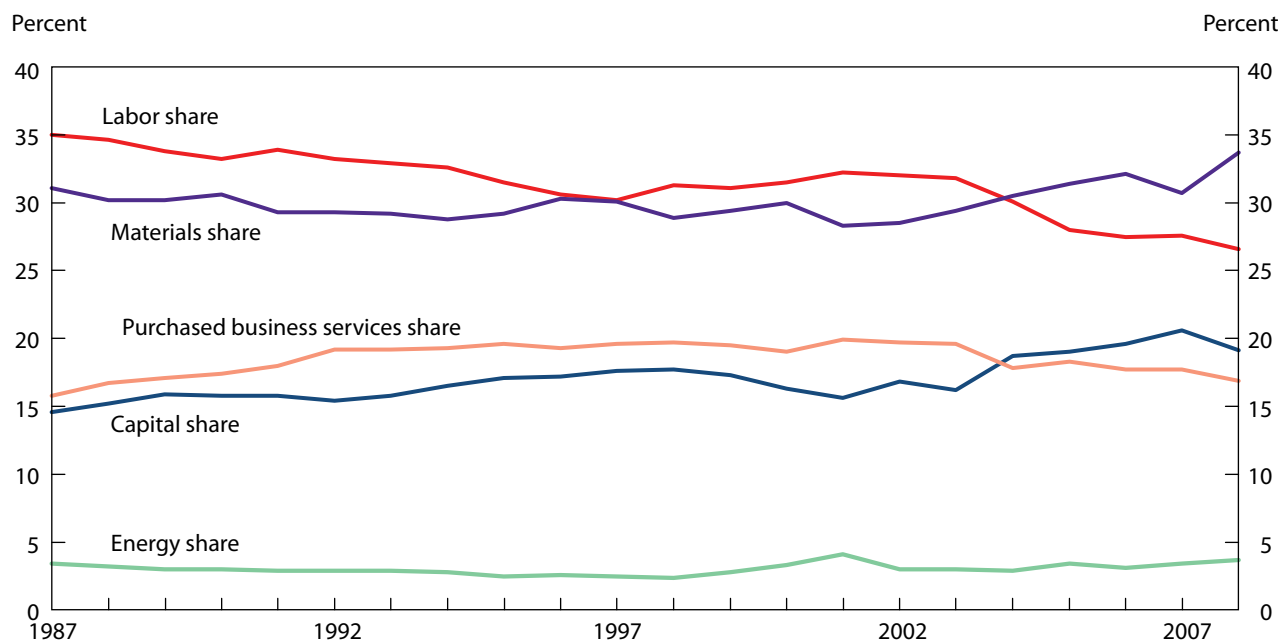
### 10. Labor share of manufacturing sector output, 1949–2008



NOTE: The shaded bars denote National Bureau of Economic Research (NBER)-designated recessions.

- Unlike nonfarm business output, which represents the value added by capital and labor, manufacturing sector output counts final output sold to U.S. consumers, output sold as exports, *and* output sold to businesses in other sectors. Furthermore, manufacturing sector input expands nonlabor costs to include energy, materials, and services provided as intermediate inputs from other sectors and from imports. Thus, labor costs, or compensation, in manufacturing account for a smaller share of sectoral output compared with labor costs for all nonfarm businesses.
- Labor share grew quickly in manufacturing during the 1950s and 1960s before falling precipitously during the early 1970s and from 2003 through 2008.

## 11. Input cost shares as a percent of manufacturing sector output, 1987–2008



- According to multifactor productivity measures, labor share of manufacturing output is slightly higher in this chart than in chart 10, due to a small difference in methods. Nonetheless, the same pattern of declining labor share can be seen from 1987 to 2008.
- The nonlabor inputs to multifactor productivity in manufacturing are capital, energy, materials, and purchased business services. The decline in labor share during the 1990s coincided with a falloff in materials share, whereas purchased business services and capital investments, such as information technology, expanded. The shift in expenditures reflected a shrinking manufacturing sector that reorganized production to become more capital intensive. Since 2002, however, the share of materials, which includes imported intermediate inputs, has expanded, contributing to the further decline of labor share.

## The costs of homeownership

“Homeownership, like baseball and hotdogs, is an integral part of American culture.” So begins an article by Wenli Li and Fang Yang that calls into question the general American belief in homeownership as a net economic benefit (“American Dream or American Obsession? The Economic Benefits and Costs of Homeownership,” Federal Reserve Bank of Philadelphia *Business Review*, third quarter 2010).

Li and Yang explain that the primary argument made in favor of homeownership is that it is the best way for many people to save money: in purchasing a home, people force themselves into making mortgage payments, thereby increasing their share of ownership in the property relative to the bank’s share. However, financial developments over time have decreased the strength of this argument. For example, there are interest-only mortgage contracts, which make it possible for households to pay nothing but interest for a number of years. Even when people have built equity, many of them are able to tap it to pay bills. In addition, housing wealth affects people’s marginal propensity to consume: for every dollar of appreciation in house prices, homeowners spend somewhere between 3 cents and 10 cents more than before. Interestingly, the tax benefits for second homes are similar to those of first homes as long as certain conditions are met. The authors contend that one of the effects of these government subsidies is more flipping of investment properties.

Homes are often thought of as

relatively safe investments that tend to perform very well in the long run, but Li and Yang aver that this is a myth. Although the U.S. housing market as a whole is not very volatile, local housing markets can be quite volatile. Even if the growth in the value of a house is in line with the national average, however, it can be easy to lose money. From 1975 to 2009, the real rate of return of the national house price index was 1.3 percent; if one assumes a 2.5-percent annual depreciation rate, a 1.5-percent property tax rate, a 7-percent mortgage interest rate, and a 25-percent marginal income tax rate, the real rate of return on a typical home actually drops below zero (to  $-0.575$  percent).

Li and Yang also make the point that homeownership can decrease mobility and that mobility is a condition for an efficient labor market. People tend to be especially averse to selling their homes and moving when doing so would incur a loss. In conclusion, the authors state that “homeownership is not for everyone” and that “the case for trying to achieve a nation of homeowners needs to be rethought.”

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## The job market for new Ph.D. economists

In the early 1970s, most economics departments at U.S. colleges and universities did not advertise for entry-level assistant professor positions. Instead, they used methods such as word of mouth and letters of inquiry to fill their job vacancies. This led to a relatively thin job market for new Ph.D. economists

and an allocative inefficiency—it was more a problem of *matching* or coordination than one of supply. Colleges and universities had to choose from a fairly small number of candidates, and people who had recently received their Ph.D. in economics found the job-search process difficult and time consuming. In an effort to improve the process, the American Economic Association (AEA), the leading professional organization for economists, began publishing *Job Openings for Economists* in 1974. The organization also sponsors annual recruiting conventions that bring together candidates and employers. To further facilitate the job-search process, in 2005, the AEA created the Ad Hoc Committee on the Job Market to study the issue and make recommendations.

In an article in the fall 2010 issue of the *Journal of Economic Perspectives* titled “The Job Market for New Economists: A Market Design Perspective,” the members of the committee published the results of a study they conducted that analyzes the job market for new Ph.D. economists from 2006 to 2009. The study focuses on two mechanisms that were widely adopted several years ago at the committee’s suggestion: (1) a “signaling service” in which job applicants can send expressions of interest to two employers before the annual conference, and (2) a later, Web-based “scramble” that attempts to match candidates who are still on the market with employers that still have job openings.

One of the coordination problems discussed in the article results when candidates “fall through the cracks,” which occurs when an employer declines to make an offer because it believes the candidate is unattainable.



In one of the surveys the authors conducted, they found that 83 percent of economics departments reported that their Ph.D. recipients were at times denied interviews because the employers saw them as “excessive longshots.” In their analysis of the signaling service, the authors found that higher ranked departments receive more signals than lower ranked ones, although signals are sent to departments of all ranks. But they also found a “clear

tendency” among students from higher ranked departments to send signals to lower ranked departments. One of the most interesting findings from the study is that “geography trumps employer rank”—13 of the top 21 signal recipients were located in Boston, New York, Washington, DC, and California, but only 7 of the 21 were among the top 21 programs in terms of academic rank. The study also found that the Web-based scramble service resulted in

roughly half of the employers initiating an interview with a job candidate in the later stages of the annual hiring process. The authors used the survey data and statistical modeling to estimate the likely effects that the two mechanisms were having on the job market; they found that the signaling and scrambling services provided by the AEA facilitated the matching of employers with candidates and improved the job-search process overall. □

## The Twilight of the Old Unionism.

By Leo Troy, Armonk, NY, M.E. Sharpe Publishers, Inc., 2004, 156 pp., \$64.95/cloth; \$24.95/paperback.

*The Twilight of the Old Unionism* is the third book in a trilogy on labor relations in the United States written by Leo Troy, professor of Economics at Rutgers University–Newark Branch. The first, *The New Unionism in the New Society* (1994), analyzed the rise of public sector unionism. The second, *Beyond Unions and Collective Bargaining* (1999), analyzed nonunion labor relations. In this, the third book, Troy focuses on what he believes is the irreversible decline of unionism in the private sector (Old Unionism), while also touching briefly on public sector unionism and nonunion labor relations mentioned in his earlier books.

Today's labor unions can trace their origins back to the European guild of the Middle Ages, but the labor movement in the United States didn't come into its own until after the Civil War. The first labor organization that was more than regional in membership and influence was the Knights of Labor, organized in 1869. In 1886 the American Federation of Labor was established, and this union grew much more quickly. Overall, the strength of the labor union movement waxed and waned over the next several decades, but by the early 1930s it appeared that the influence of unions in affecting labor conditions was on the decline. From a trough in union strength in 1933 there began a spectacular expansion of the Old Unionism, accelerated by the passage of the National Labor

Relations Act (NLRA) in 1935. This act reversed years of federal opposition to organized labor and guaranteed the right of employees to organize, form unions, and bargain collectively with their employers. The legitimacy of the NLRA was challenged, but ultimately was validated by a 1937 Supreme Court decision. The FDR administration created the National Labor Relations Board to arbitrate deadlocked labor-management disputes, and its favorable attitude towards unions played a significant role in their organizing success. Passage of the Taft-Hartley Act in 1947 was a setback, but the Old Unionism nonetheless continued to grow to a peak density (percentage of workers in unions) of 36 percent in 1953. From that high point it began a continuous downhill slide, however; the U.S. now has a private sector density of between only 7 and 8 percent.

Troy provides several reasons for the decline of Old Unionism, but sums them up using Joseph Schumpeter's theory of Creative Destruction. Schumpeter (1883–1950) believed that the success of capitalism as an economic structure was a function of its dynamism, i.e., its ability to adapt to continuous change. He believed there were always new consumers, new methods of production, new goods and new markets ready to replace old ones that couldn't keep pace. Applying these principles to today's marketplace, Troy suggests that Old Unionism's monopoly power left it too rigid to adapt to changing conditions for several reasons. First, the U.S. economy experienced a structural change, from a predominantly goods-oriented labor market to a predominantly service-oriented one, the latter being much less

receptive to union organizing than the former (at least in the private sector). Even within manufacturing, there has been an occupational shift from blue-collar to white-collar jobs, which have always been more difficult to organize. Geography is another factor, as the population has trended away from the "Rust Belt" toward the South and West during the past 40 years. The South is the least union-organized section of the country; in fact, several southern states have passed right-to-work laws prohibiting unions. And while academics and unionists typically explain the decline in Old Unionism as a result of employer opposition to unions, Troy argues adamantly against this proposition. On the contrary, he suggests that one of the reasons for union decline is *employee* lack of demand, and even opposition, to unions, and he cites a 1992 report covering the 1977–91 time-frame to support this. It is his position that many workers have come to prefer individual representation.

New Unionism, as Troy points out, has experienced significant growth since the 1960s. Public sector unionism had been virtually non-existent before President Kennedy's executive order authorizing "the formation of federal employee unions with powers of exclusive representation and mandatory good faith bargaining." After that order, many State governments followed suit by adopting similar laws, some even requiring employees to join unions (closed shop). As a result, public sector unionism now accounts for approximately 37 percent of total union membership, and its long-term survival is no longer in doubt. If this trend continues, the majority of organized labor members will

soon be white-collar workers, and the majority of them will be government employees.

Troy also analyzes whether the twilight of the Old Unionism is unique to the United States. Information on public and private sector union density in the G-7 countries is combined, so answering that question for Europe is difficult to determine. Canada is usually cited as an exception to union decline. Troy found that Canada did have a higher union density, but he attributed that to more favorable labor laws and higher public sector density. His

research found that private sector density in Canada has also been experiencing a similar decline, but with a 10-year lag.

In the final chapter, Troy attempts to make a case that the Democratic Party in the U.S. has become “the Labor Party.” Per Troy, when Old Unionism’s organizational efforts failed to stem its decline, it increasingly shifted its focus and resources to its political function.

Leo Troy makes a good point about Old Unionism’s failure to adapt to structural changes the past 50 years, which is well supported

by the evidence. He states that collective bargaining will continue to remain a key factor in determining working conditions, also not controversial—but his contention that most workers want individual representation, and that it can be just as effective as organized representation, could be considered so. Those receptive to his point of view, or at least tolerant of it, will find the book enjoyable, enlightening, and not a difficult read. □

—Ronald Johnson  
Office of Prices and Living Conditions  
Bureau of Labor Statistics

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The *Monthly Labor Review* welcomes articles on the labor force, labor-management relations, business conditions, industry productivity, compensation, occupational safety and health, demographic trends, and other economic developments. Papers should be factual and analytical, not polemical, in tone. For guidelines on how to submit papers, go to [www.bls.gov/opub/mlr/guidelines.htm](http://www.bls.gov/opub/mlr/guidelines.htm). Potential articles, as well as comments on material published in the *Review*, should be submitted to:

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# Notes on Current Labor Statistics

This section of the *Review* presents the principal statistical series collected and calculated by the Bureau of Labor Statistics: series on labor force; employment; unemployment; labor compensation; consumer, producer, and international prices; productivity; international comparisons; and injury and illness statistics. In the notes that follow, the data in each group of tables are briefly described; key definitions are given; notes on the data are set forth; and sources of additional information are cited.

## General notes

The following notes apply to several tables in this section:

**Seasonal adjustment.** Certain monthly and quarterly data are adjusted to eliminate the effect on the data of such factors as climatic conditions, industry production schedules, opening and closing of schools, holiday buying periods, and vacation practices, which might prevent short-term evaluation of the statistical series. Tables containing data that have been adjusted are identified as “seasonally adjusted.” (All other data are not seasonally adjusted.) Seasonal effects are estimated on the basis of current and past experiences. When new seasonal factors are computed each year, revisions may affect seasonally adjusted data for several preceding years.

Seasonally adjusted data appear in tables 1–14, 17–21, 48, and 52. Seasonally adjusted labor force data in tables 1 and 4–9 and seasonally adjusted establishment survey data shown in tables 1, 12–14, and 17 usually are revised in the March issue of the *Review*. A brief explanation of the seasonal adjustment methodology appears in “Notes on the data.”

Revisions in the productivity data in table 54 are usually introduced in the September issue. Seasonally adjusted indexes and percent changes from month-to-month and quarter-to-quarter are published for numerous Consumer and Producer Price Index series. However, seasonally adjusted indexes are not published for the U.S. average All-Items CPI. Only seasonally adjusted percent changes are available for this series.

**Adjustments for price changes.** Some data—such as the “real” earnings shown in table 14—are adjusted to eliminate the effect of changes in price. These adjustments are made by dividing current-dollar values by the Consumer Price Index or the appropriate component of the index, then multiplying by 100. For example, given a current hourly wage rate of \$3 and a current price index number of 150, where 1982 = 100, the hourly rate expressed in 1982 dollars is \$2 ( $\$3/150 \times 100 = \$2$ ). The \$2 (or any other resulting

values) are described as “real,” “constant,” or “1982” dollars.

## Sources of information

Data that supplement the tables in this section are published by the Bureau in a variety of sources. Definitions of each series and notes on the data are contained in later sections of these Notes describing each set of data. For detailed descriptions of each data series, see *BLS Handbook of Methods*, Bulletin 2490. Users also may wish to consult *Major Programs of the Bureau of Labor Statistics*, Report 919. News releases provide the latest statistical information published by the Bureau; the major recurring releases are published according to the schedule appearing on the back cover of this issue.

More information about labor force, employment, and unemployment data and the household and establishment surveys underlying the data are available in the Bureau’s monthly publication, *Employment and Earnings*. Historical unadjusted and seasonally adjusted data from the household survey are available on the Internet:

[www.bls.gov/cps/](http://www.bls.gov/cps/)

Historically comparable unadjusted and seasonally adjusted data from the establishment survey also are available on the Internet:

[www.bls.gov/ces/](http://www.bls.gov/ces/)

Additional information on labor force data for areas below the national level are provided in the BLS annual report, *Geographic Profile of Employment and Unemployment*.

For a comprehensive discussion of the Employment Cost Index, see *Employment Cost Indexes and Levels, 1975–95*, BLS Bulletin 2466. The most recent data from the Employee Benefits Survey appear in the following Bureau of Labor Statistics bulletins: *Employee Benefits in Medium and Large Firms*; *Employee Benefits in Small Private Establishments*; and *Employee Benefits in State and Local Governments*.

More detailed data on consumer and producer prices are published in the monthly periodicals, *The CPI Detailed Report* and *Producer Price Indexes*. For an overview of the 1998 revision of the CPI, see the December 1996 issue of the *Monthly Labor Review*. Additional data on international prices appear in monthly news releases.

Listings of industries for which productivity indexes are available may be found on the Internet:

[www.bls.gov/lpc/](http://www.bls.gov/lpc/)

For additional information on international comparisons data, see *International Comparisons of Unemployment*, Bulletin

1979.

Detailed data on the occupational injury and illness series are published in *Occupational Injuries and Illnesses in the United States, by Industry*, a BLS annual bulletin.

Finally, the *Monthly Labor Review* carries analytical articles on annual and longer term developments in labor force, employment, and unemployment; employee compensation and collective bargaining; prices; productivity; international comparisons; and injury and illness data.

## Symbols

n.e.c. = not elsewhere classified.

n.e.s. = not elsewhere specified.

p = preliminary. To increase the timeliness of some series, preliminary figures are issued based on representative but incomplete returns.

r = revised. Generally, this revision reflects the availability of later data, but also may reflect other adjustments.

## Comparative Indicators

(Tables 1–3)

Comparative indicators tables provide an overview and comparison of major BLS statistical series. Consequently, although many of the included series are available monthly, all measures in these comparative tables are presented quarterly and annually.

**Labor market indicators** include employment measures from two major surveys and information on rates of change in compensation provided by the Employment Cost Index (ECI) program. The labor force participation rate, the employment-population ratio, and unemployment rates for major demographic groups based on the Current Population (“household”) Survey are presented, while measures of employment and average weekly hours by major industry sector are given using nonfarm payroll data. The Employment Cost Index (compensation), by major sector and by bargaining status, is chosen from a variety of BLS compensation and wage measures because it provides a comprehensive measure of employer costs for hiring labor, not just outlays for wages, and it is not affected by employment shifts among occupations and industries.

Data on **changes in compensation, prices, and productivity** are presented in table 2. Measures of rates of change of compensation and wages from the Employment Cost Index

program are provided for all civilian nonfarm workers (excluding Federal and household workers) and for all private nonfarm workers. Measures of changes in consumer prices for all urban consumers; producer prices by stage of processing; overall prices by stage of processing; and overall export and import price indexes are given. Measures of productivity (output per hour of all persons) are provided for major sectors.

**Alternative measures of wage and compensation rates of change**, which reflect the overall trend in labor costs, are summarized in table 3. Differences in concepts and scope, related to the specific purposes of the series, contribute to the variation in changes among the individual measures.

### Notes on the data

Definitions of each series and notes on the data are contained in later sections of these notes describing each set of data.

## Employment and Unemployment Data

(Tables 1; 4–29)

### Household survey data

#### Description of the series

Employment data in this section are obtained from the Current Population Survey, a program of personal interviews conducted monthly by the Bureau of the Census for the Bureau of Labor Statistics. The sample consists of about 60,000 households selected to represent the U.S. population 16 years of age and older. Households are interviewed on a rotating basis, so that three-fourths of the sample is the same for any 2 consecutive months.

#### Definitions

**Employed persons** include (1) all those who worked for pay any time during the week which includes the 12th day of the month or who worked unpaid for 15 hours or more in a family-operated enterprise and (2) those who were temporarily absent from their regular jobs because of illness, vacation, industrial dispute, or similar reasons. A person working at more than one job is counted only in the job at which he or she worked the greatest number of hours.

**Unemployed persons** are those who did not work during the survey week, but were available for work except for temporary illness and had looked for jobs within the preceding 4 weeks. Persons who did not look for work

because they were on layoff are also counted among the unemployed. **The unemployment rate** represents the number unemployed as a percent of the civilian labor force.

The **civilian labor force** consists of all employed or unemployed persons in the civilian noninstitutional population. Persons **not in the labor force** are those not classified as employed or unemployed. This group includes discouraged workers, defined as persons who want and are available for a job and who have looked for work sometime in the past 12 months (or since the end of their last job if they held one within the past 12 months), but are not currently looking, because they believe there are no jobs available or there are none for which they would qualify. The **civilian noninstitutional population** comprises all persons 16 years of age and older who are not inmates of penal or mental institutions, sanitariums, or homes for the aged, infirm, or needy. The **civilian labor force participation rate** is the proportion of the civilian noninstitutional population that is in the labor force. The **employment-population ratio** is employment as a percent of the civilian noninstitutional population.

#### Notes on the data

From time to time, and especially after a decennial census, adjustments are made in the Current Population Survey figures to correct for estimating errors during the intercensal years. These adjustments affect the comparability of historical data. A description of these adjustments and their effect on the various data series appears in the Explanatory Notes of *Employment and Earnings*. For a discussion of changes introduced in January 2003, see “Revisions to the Current Population Survey Effective in January 2003” in the February 2003 issue of *Employment and Earnings* (available on the BLS Web site at [www.bls.gov/cps/rvcps03.pdf](http://www.bls.gov/cps/rvcps03.pdf)).

Effective in January 2003, BLS began using the X-12 ARIMA seasonal adjustment program to seasonally adjust national labor force data. This program replaced the X-11 ARIMA program which had been used since January 1980. See “Revision of Seasonally Adjusted Labor Force Series in 2003,” in the February 2003 issue of *Employment and Earnings* (available on the BLS Web site at [www.bls.gov/cps/cpsrs.pdf](http://www.bls.gov/cps/cpsrs.pdf)) for a discussion of the introduction of the use of X-12 ARIMA for seasonal adjustment of the labor force data and the effects that it had on the data.

At the beginning of each calendar year, historical seasonally adjusted data usually are revised, and projected seasonal adjustment factors are calculated for use during the January–June period. The historical season-

ally adjusted data usually are revised for only the most recent 5 years. In July, new seasonal adjustment factors, which incorporate the experience through June, are produced for the July–December period, but no revisions are made in the historical data.

FOR ADDITIONAL INFORMATION on national household survey data, contact the Division of Labor Force Statistics: (202) 691–6378.

## Establishment survey data

### Description of the series

Employment, hours, and earnings data in this section are compiled from payroll records reported monthly on a voluntary basis to the Bureau of Labor Statistics and its cooperating State agencies by about 160,000 businesses and government agencies, which represent approximately 400,000 individual worksites and represent all industries except agriculture. The active CES sample covers approximately one-third of all nonfarm payroll workers. Industries are classified in accordance with the 2007 North American Industry Classification System. In most industries, the sampling probabilities are based on the size of the establishment; most large establishments are therefore in the sample. (An establishment is not necessarily a firm; it may be a branch plant, for example, or warehouse.) Self-employed persons and others not on a regular civilian payroll are outside the scope of the survey because they are excluded from establishment records. This largely accounts for the difference in employment figures between the household and establishment surveys.

### Definitions

An **establishment** is an economic unit which produces goods or services (such as a factory or store) at a single location and is engaged in one type of economic activity.

**Employed persons** are all persons who received pay (including holiday and sick pay) for any part of the payroll period including the 12th day of the month. Persons holding more than one job (about 5 percent of all persons in the labor force) are counted in each establishment which reports them.

**Production workers** in the goods-producing industries cover employees, up through the level of working supervisors, who engage directly in the manufacture or construction of the establishment’s product. In private service-providing industries, data are collected for nonsupervisory workers, which include most employees except those in executive, managerial, and supervisory positions. Those

workers mentioned in tables 11–16 include production workers in manufacturing and natural resources and mining; construction workers in construction; and nonsupervisory workers in all private service-providing industries. Production and nonsupervisory workers account for about four-fifths of the total employment on private nonagricultural payrolls.

**Earnings** are the payments production or nonsupervisory workers receive during the survey period, including premium pay for overtime or late-shift work but excluding irregular bonuses and other special payments. **Real earnings** are earnings adjusted to reflect the effects of changes in consumer prices. The deflator for this series is derived from the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W).

**Hours** represent the average weekly hours of production or nonsupervisory workers for which pay was received, and are different from standard or scheduled hours. **Overtime hours** represent the portion of average weekly hours which was in excess of regular hours and for which overtime premiums were paid.

The **Diffusion Index** represents the percent of industries in which employment was rising over the indicated period, plus one-half of the industries with unchanged employment; 50 percent indicates an equal balance between industries with increasing and decreasing employment. In line with Bureau practice, data for the 1-, 3-, and 6-month spans are seasonally adjusted, while those for the 12-month span are unadjusted. Table 17 provides an index on private nonfarm employment based on 278 industries, and a manufacturing index based on 84 industries. These indexes are useful for measuring the dispersion of economic gains or losses and are also economic indicators.

## Notes on the data

With the release of data for January 2010, the CES program introduced its annual revision of national estimates of employment, hours, and earnings from the monthly survey of nonfarm establishments. Each year, the CES survey realigns its sample-based estimates to incorporate universe counts of employment—a process known as benchmarking. Comprehensive counts of employment, or benchmarks, are derived primarily from unemployment insurance (UI) tax reports that nearly all employers are required to file with State Workforce Agencies. With the release in June 2003, CES completed the transition from its original quota sample design to a

probability-based sample design. The industry-coding update included reconstruction of historical estimates in order to preserve time series for data users. Normally 5 years of seasonally adjusted data are revised with each benchmark revision. However, with this release, the entire new time series history for all CES data series were re-seasonally adjusted due to the NAICS conversion, which resulted in the revision of all CES time series.

Also in June 2003, the CES program introduced concurrent seasonal adjustment for the national establishment data. Under this methodology, the first preliminary estimates for the current reference month and the revised estimates for the 2 prior months will be updated with concurrent factors with each new release of data. Concurrent seasonal adjustment incorporates all available data, including first preliminary estimates for the most current month, in the adjustment process. For additional information on all of the changes introduced in June 2003, see the June 2003 issue of *Employment and Earnings* and “Recent changes in the national Current Employment Statistics survey,” *Monthly Labor Review*, June 2003, pp. 3–13.

Revisions in State data (table 11) occurred with the publication of January 2003 data. For information on the revisions for the State data, see the March and May 2003 issues of *Employment and Earnings*, and “Recent changes in the State and Metropolitan Area CES survey,” *Monthly Labor Review*, June 2003, pp. 14–19.

Beginning in June 1996, the BLS uses the X-12-ARIMA methodology to seasonally adjust establishment survey data. This procedure, developed by the Bureau of the Census, controls for the effect of varying survey intervals (also known as the 4- versus 5-week effect), thereby providing improved measurement of over-the-month changes and underlying economic trends. Revisions of data, usually for the most recent 5-year period, are made once a year coincident with the benchmark revisions.

In the establishment survey, estimates for the most recent 2 months are based on incomplete returns and are published as preliminary in the tables (12–17 in the *Review*). When all returns have been received, the estimates are revised and published as “final” (prior to any benchmark revisions) in the third month of their appearance. Thus, December data are published as preliminary in January and February and as final in March. For the same reasons, quarterly establishment data (table 1) are preliminary for the first 2 months of publication and final in the third month. Fourth-quarter data are pub-

lished as preliminary in January and February and as final in March.

FOR ADDITIONAL INFORMATION on establishment survey data, contact the Division of Current Employment Statistics: (202) 691–6555.

## Unemployment data by State

### Description of the series

Data presented in this section are obtained from the Local Area Unemployment Statistics (LAUS) program, which is conducted in cooperation with State employment security agencies.

Monthly estimates of the labor force, employment, and unemployment for States and sub-State areas are a key indicator of local economic conditions, and form the basis for determining the eligibility of an area for benefits under Federal economic assistance programs such as the Job Training Partnership Act. Seasonally adjusted unemployment rates are presented in table 10. Insofar as possible, the concepts and definitions underlying these data are those used in the national estimates obtained from the CPS.

### Notes on the data

Data refer to State of residence. Monthly data for all States and the District of Columbia are derived using standardized procedures established by BLS. Once a year, estimates are revised to new population controls, usually with publication of January estimates, and benchmarked to annual average CPS levels.

FOR ADDITIONAL INFORMATION on data in this series, call (202) 691–6392 (table 10) or (202) 691–6559 (table 11).

## Quarterly Census of Employment and Wages

### Description of the series

Employment, wage, and establishment data in this section are derived from the quarterly tax reports submitted to State employment security agencies by private and State and local government employers subject to State unemployment insurance (UI) laws and from Federal, agencies subject to the Unemployment Compensation for Federal Employees (UCFE) program. Each quarter, State agencies edit and process the data and send the information to the Bureau of Labor Statistics.

The Quarterly Census of Employment and Wages (QCEW) data, also referred as ES-202 data, are the most complete enumeration of employment and wage information by

industry at the national, State, metropolitan area, and county levels. They have broad economic significance in evaluating labor market trends and major industry developments.

## Definitions

In general, the Quarterly Census of Employment and Wages monthly employment data represent the number of **covered workers** who worked during, or received pay for, the pay period that included the 12th day of the month. **Covered private industry employment** includes most corporate officials, executives, supervisory personnel, professionals, clerical workers, wage earners, piece workers, and part-time workers. It excludes proprietors, the unincorporated self-employed, unpaid family members, and certain farm and domestic workers. Certain types of nonprofit employers, such as religious organizations, are given a choice of coverage or exclusion in a number of States. Workers in these organizations are, therefore, reported to a limited degree.

Persons on paid sick leave, paid holiday, paid vacation, and the like, are included. Persons on the payroll of more than one firm during the period are counted by each ui-subject employer if they meet the employment definition noted earlier. The employment count excludes workers who earned no wages during the entire applicable pay period because of work stoppages, temporary layoffs, illness, or unpaid vacations.

**Federal employment data** are based on reports of monthly employment and quarterly wages submitted each quarter to State agencies for all Federal installations with employees covered by the Unemployment Compensation for Federal Employees (UCFE) program, except for certain national security agencies, which are omitted for security reasons. Employment for all Federal agencies for any given month is based on the number of persons who worked during or received pay for the pay period that included the 12th of the month.

An **establishment** is an economic unit, such as a farm, mine, factory, or store, that produces goods or provides services. It is typically at a single physical location and engaged in one, or predominantly one, type of economic activity for which a single industrial classification may be applied. Occasionally, a single physical location encompasses two or more distinct and significant activities. Each activity should be reported as a separate establishment if separate records are kept and the various activities are classified under different NAICS industries.

Most employers have only one establishment; thus, the establishment is the

predominant reporting unit or statistical entity for reporting employment and wages data. Most employers, including State and local governments who operate more than one establishment in a State, file a Multiple Worksite Report each quarter, in addition to their quarterly ui report. The Multiple Worksite Report is used to collect separate employment and wage data for each of the employer's establishments, which are not detailed on the ui report. Some very small multi-establishment employers do not file a Multiple Worksite Report. When the total employment in an employer's secondary establishments (all establishments other than the largest) is 10 or fewer, the employer generally will file a consolidated report for all establishments. Also, some employers either cannot or will not report at the establishment level and thus aggregate establishments into one consolidated unit, or possibly several units, though not at the establishment level.

For the Federal Government, the reporting unit is the **installation**: a single location at which a department, agency, or other government body has civilian employees. Federal agencies follow slightly different criteria than do private employers when breaking down their reports by installation. They are permitted to combine as a single statewide unit: 1) all installations with 10 or fewer workers, and 2) all installations that have a combined total in the State of fewer than 50 workers. Also, when there are fewer than 25 workers in all secondary installations in a State, the secondary installations may be combined and reported with the major installation. Last, if a Federal agency has fewer than five employees in a State, the agency headquarters office (regional office, district office) serving each State may consolidate the employment and wages data for that State with the data reported to the State in which the headquarters is located. As a result of these reporting rules, the number of reporting units is always larger than the number of employers (or government agencies) but smaller than the number of actual establishments (or installations).

Data reported for the first quarter are tabulated into **size** categories ranging from worksites of very small size to those with 1,000 employees or more. The size category is determined by the establishment's March employment level. It is important to note that each establishment of a multi-establishment firm is tabulated separately into the appropriate size category. The total employment level of the reporting multi-establishment firm is not used in the size tabulation.

Covered employers in most States report total **wages** paid during the calendar quarter, regardless of when the services were performed. A few State laws, however, specify

that wages be reported for, or based on the period during which services are performed rather than the period during which compensation is paid. Under most State laws or regulations, wages include bonuses, stock options, the cash value of meals and lodging, tips and other gratuities, and, in some States, employer contributions to certain deferred compensation plans such as 401(k) plans.

Covered employer contributions for old-age, survivors, and disability insurance (OASDI), health insurance, unemployment insurance, workers' compensation, and private pension and welfare funds are not reported as wages. Employee contributions for the same purposes, however, as well as money withheld for income taxes, union dues, and so forth, are reported even though they are deducted from the worker's gross pay.

**Wages of covered Federal workers** represent the gross amount of all payrolls for all pay periods ending within the quarter. This includes cash allowances, the cash equivalent of any type of remuneration, severance pay, withholding taxes, and retirement deductions. Federal employee remuneration generally covers the same types of services as for workers in private industry.

**Average annual wage** per employee for any given industry are computed by dividing total annual wages by annual average employment. A further division by 52 yields average weekly wages per employee. Annual pay data only approximate annual earnings because an individual may not be employed by the same employer all year or may work for more than one employer at a time.

Average weekly or annual wage is affected by the ratio of full-time to part-time workers as well as the number of individuals in high-paying and low-paying occupations. When average pay levels between States and industries are compared, these factors should be taken into consideration. For example, industries characterized by high proportions of part-time workers will show average wage levels appreciably less than the weekly pay levels of regular full-time employees in these industries. The opposite effect characterizes industries with low proportions of part-time workers, or industries that typically schedule heavy weekend and overtime work. Average wage data also may be influenced by work stoppages, labor turnover rates, retroactive payments, seasonal factors, bonus payments, and so on.

## Notes on the data

Beginning with the release of data for 2007, publications presenting data from the Covered Employment and Wages program have



switched to the 2007 version of the North American Industry Classification System (NAICS) as the basis for the assignment and tabulation of economic data by industry. NAICS is the product of a cooperative effort on the part of the statistical agencies of the United States, Canada, and Mexico. Due to difference in NAICS and Standard Industrial Classification (SIC) structures, industry data for 2001 is not comparable to the SIC-based data for earlier years.

Effective January 2001, the program began assigning Indian Tribal Councils and related establishments to local government ownership. This BLS action was in response to a change in Federal law dealing with the way Indian Tribes are treated under the Federal Unemployment Tax Act. This law requires federally recognized Indian Tribes to be treated similarly to State and local governments. In the past, the Covered Employment and Wage (CEW) program coded Indian Tribal Councils and related establishments in the private sector. As a result of the new law, CEW data reflects significant shifts in employment and wages between the private sector and local government from 2000 to 2001. Data also reflect industry changes. Those accounts previously assigned to civic and social organizations were assigned to tribal governments. There were no required industry changes for related establishments owned by these Tribal Councils. These tribal business establishments continued to be coded according to the economic activity of that entity.

To insure the highest possible quality of data, State employment security agencies verify with employers and update, if necessary, the industry, location, and ownership classification of all establishments on a 3-year cycle. Changes in establishment classification codes resulting from the verification process are introduced with the data reported for the first quarter of the year. Changes resulting from improved employer reporting also are introduced in the first quarter. For these reasons, some data, especially at more detailed geographic levels, may not be strictly comparable with earlier years.

County definitions are assigned according to Federal Information Processing Standards Publications as issued by the National Institute of Standards and Technology. Areas shown as counties include those designated as independent cities in some jurisdictions and, in Alaska, those areas designated by the Census Bureau where counties have not been created. County data also are presented for the New England States for comparative purposes, even though townships are the more common designation used in New England (and New Jersey).

The Office of Management and Budget (OMB) defines metropolitan areas for use in Federal statistical activities and updates these definitions as needed. Data in this table use metropolitan area criteria established by OMB in definitions issued June 30, 1999 (OMB Bulletin No. 99-04). These definitions reflect information obtained from the 1990 Decennial Census and the 1998 U.S. Census Bureau population estimate. A complete list of metropolitan area definitions is available from the National Technical Information Service (NTIS), Document Sales, 5205 Port Royal Road, Springfield, Va. 22161, telephone 1-800-553-6847.

OMB defines metropolitan areas in terms of entire counties, except in the six New England States where they are defined in terms of cities and towns. New England data in this table, however, are based on a county concept defined by OMB as New England County Metropolitan Areas (NECMA) because county-level data are the most detailed available from the Quarterly Census of Employment and Wages. The NECMA is a county-based alternative to the city- and town-based metropolitan areas in New England. The NECMA for a Metropolitan Statistical Area (MSA) include: (1) the county containing the first-named city in that MSA title (this county may include the first-named cities of other MSA, and (2) each additional county having at least half its population in the MSA in which first-named cities are in the county identified in step 1. The NECMA is officially defined areas that are meant to be used by statistical programs that cannot use the regular metropolitan area definitions in New England.

FOR ADDITIONAL INFORMATION on the covered employment and wage data, contact the Division of Administrative Statistics and Labor Turnover at (202) 691-6567.

## Job Openings and Labor Turnover Survey

### Description of the series

Data for the **Job Openings and Labor Turnover Survey** (JOLTS) are collected and compiled from a sample of 16,000 business establishments. Each month, data are collected for total employment, job openings, hires, quits, layoffs and discharges, and other separations. The JOLTS program covers all private nonfarm establishments such as factories, offices, and stores, as well as Federal, State, and local government entities in the 50 States and the District of Columbia. The JOLTS sample design is a random sample drawn from a universe of more than eight mil-

lion establishments compiled as part of the operations of the Quarterly Census of Employment and Wages, or QCEW, program. This program includes all employers subject to State unemployment insurance (UI) laws and Federal agencies subject to Unemployment Compensation for Federal Employees (UCFE).

The sampling frame is stratified by ownership, region, industry sector, and size class. Large firms fall into the sample with virtual certainty. JOLTS total employment estimates are controlled to the employment estimates of the Current Employment Statistics (CES) survey. A ratio of CES to JOLTS employment is used to adjust the levels for all other JOLTS data elements. Rates then are computed from the adjusted levels.

The monthly JOLTS data series begin with December 2000. Not seasonally adjusted data on job openings, hires, total separations, quits, layoffs and discharges, and other separations levels and rates are available for the total nonfarm sector, 16 private industry divisions and 2 government divisions based on the North American Industry Classification System (NAICS), and four geographic regions. Seasonally adjusted data on job openings, hires, total separations, and quits levels and rates are available for the total nonfarm sector, selected industry sectors, and four geographic regions.

### Definitions

Establishments submit **job openings** information for the last business day of the reference month. A job opening requires that (1) a specific position exists and there is work available for that position; and (2) work could start within 30 days regardless of whether a suitable candidate is found; and (3) the employer is actively recruiting from outside the establishment to fill the position. Included are full-time, part-time, permanent, short-term, and seasonal openings. Active recruiting means that the establishment is taking steps to fill a position by advertising in newspapers or on the Internet, posting help-wanted signs, accepting applications, or using other similar methods.

Jobs to be filled only by internal transfers, promotions, demotions, or recall from layoffs are excluded. Also excluded are jobs with start dates more than 30 days in the future, jobs for which employees have been hired but have not yet reported for work, and jobs to be filled by employees of temporary help agencies, employee leasing companies, outside contractors, or consultants. The job openings rate is computed by dividing the number of job openings by the sum of employment and job openings, and multiplying that quotient

by 100.

**Hires** are the total number of additions to the payroll occurring at any time during the reference month, including both new and rehired employees and full-time and part-time, permanent, short-term and seasonal employees, employees recalled to the location after a layoff lasting more than 7 days, on-call or intermittent employees who returned to work after having been formally separated, and transfers from other locations. The hires count does not include transfers or promotions within the reporting site, employees returning from strike, employees of temporary help agencies or employee leasing companies, outside contractors, or consultants. The hires rate is computed by dividing the number of hires by employment, and multiplying that quotient by 100.

**Separations** are the total number of terminations of employment occurring at any time during the reference month, and are reported by type of separation—quits, layoffs and discharges, and other separations. Quits are voluntary separations by employees (except for retirements, which are reported as other separations). Layoffs and discharges are involuntary separations initiated by the employer and include layoffs with no intent to rehire, formal layoffs lasting or expected to last more than 7 days, discharges resulting from mergers, downsizing, or closings, firings or other discharges for cause, terminations of permanent or short-term employees, and terminations of seasonal employees. Other separations include retirements, transfers to other locations, deaths, and separations due to disability. Separations do not include transfers within the same location or employees on strike.

The separations rate is computed by dividing the number of separations by employment, and multiplying that quotient by 100. The quits, layoffs and discharges, and other separations rates are computed similarly, dividing the number by employment and multiplying by 100.

## Notes on the data

The JOLTS data series on job openings, hires, and separations are relatively new. The full sample is divided into panels, with one panel enrolled each month. A full complement of panels for the original data series based on the 1987 Standard Industrial Classification (SIC) system was not completely enrolled in the survey until January 2002. The supplemental panels of establishments needed to create NAICS estimates were not completely enrolled until May 2003. The data collected up until those points are from less than a

full sample. Therefore, estimates from earlier months should be used with caution, as fewer sampled units were reporting data at that time.

In March 2002, BLS procedures for collecting hires and separations data were revised to address possible underreporting. As a result, JOLTS hires and separations estimates for months prior to March 2002 may not be comparable with estimates for March 2002 and later.

The Federal Government reorganization that involved transferring approximately 180,000 employees to the new Department of Homeland Security is not reflected in the JOLTS hires and separations estimates for the Federal Government. The Office of Personnel Management's record shows these transfers were completed in March 2003. The inclusion of transfers in the JOLTS definitions of hires and separations is intended to cover ongoing movements of workers between establishments. The Department of Homeland Security reorganization was a massive one-time event, and the inclusion of these intergovernmental transfers would distort the Federal Government time series.

Data users should note that seasonal adjustment of the JOLTS series is conducted with fewer data observations than is customary. The historical data, therefore, may be subject to larger than normal revisions. Because the seasonal patterns in economic data series typically emerge over time, the standard use of moving averages as seasonal filters to capture these effects requires longer series than are currently available. As a result, the stable seasonal filter option is used in the seasonal adjustment of the JOLTS data. When calculating seasonal factors, this filter takes an average for each calendar month after detrending the series. The stable seasonal filter assumes that the seasonal factors are fixed; a necessary assumption until sufficient data are available. When the stable seasonal filter is no longer needed, other program features also may be introduced, such as outlier adjustment and extended diagnostic testing. Additionally, it is expected that more series, such as layoffs and discharges and additional industries, may be seasonally adjusted when more data are available.

JOLTS hires and separations estimates cannot be used to exactly explain net changes in payroll employment. Some reasons why it is problematic to compare changes in payroll employment with JOLTS hires and separations, especially on a monthly basis, are: (1) the reference period for payroll employment is the pay period including the 12th of the month, while the reference period for hires and separations is the calendar month; and (2) payroll employment can vary from month

to month simply because part-time and on-call workers may not always work during the pay period that includes the 12th of the month. Additionally, research has found that some reporters systematically underreport separations relative to hires due to a number of factors, including the nature of their payroll systems and practices. The shortfall appears to be about 2 percent or less over a 12-month period.

FOR ADDITIONAL INFORMATION on the Job Openings and Labor Turnover Survey, contact the Division of Administrative Statistics and Labor Turnover at (202) 961-5870.

## Compensation and Wage Data

(Tables 1-3; 30-37)

The National Compensation Survey (NCS) produces a variety of compensation data. These include: The Employment Cost Index (ECI) and NCS benefit measures of the incidence and provisions of selected employee benefit plans. Selected samples of these measures appear in the following tables. NCS also compiles data on occupational wages and the Employer Costs for Employee Compensation (ECEC).

## Employment Cost Index

### Description of the series

The **Employment Cost Index** (ECI) is a quarterly measure of the rate of change in compensation per hour worked and includes wages, salaries, and employer costs of employee benefits. It is a Laspeyres Index that uses fixed employment weights to measure change in labor costs free from the influence of employment shifts among occupations and industries.

The ECI provides data for the civilian economy, which includes the total private nonfarm economy excluding private households, and the public sector excluding the Federal government. Data are collected each quarter for the pay period including the 12th day of March, June, September, and December.

Sample establishments are classified by industry categories based on the 2007 North American Classification System (NAICS). Within a sample establishment, specific job categories are selected and classified into about 800 occupations according to the 2000 Standard Occupational Classification (SOC) System. Individual occupations are combined to represent one of ten intermediate

aggregations, such as professional and related occupations, or one of five higher level aggregations, such as management, professional, and related occupations.

Fixed employment weights are used each quarter to calculate the most aggregate series—civilian, private, and State and local government. These fixed weights are also used to derive all of the industry and occupational series indexes. Beginning with the March 2006 estimates, 2002 fixed employment weights from the Bureau's Occupational Employment Statistics survey were introduced. From March 1995 to December 2005, 1990 employment counts were used. These fixed weights ensure that changes in these indexes reflect only changes in compensation, not employment shifts among industries or occupations with different levels of wages and compensation. For the series based on bargaining status, census region and division, and metropolitan area status, fixed employment data are not available. The employment weights are reallocated within these series each quarter based on the current ECI sample. The indexes for these series, consequently, are not strictly comparable with those for aggregate, occupational, and industry series.

## Definitions

**Total compensation** costs include wages, salaries, and the employer's costs for employee benefits.

**Wages and salaries** consist of earnings before payroll deductions, including production bonuses, incentive earnings, commissions, and cost-of-living adjustments.

**Benefits** include the cost to employers for paid leave, supplemental pay (including nonproduction bonuses), insurance, retirement and savings plans, and legally required benefits (such as Social Security, workers' compensation, and unemployment insurance).

Excluded from wages and salaries and employee benefits are such items as payment-in-kind, free room and board, and tips.

## Notes on the data

The ECI data in these tables reflect the conversion to the 2002 North American Industry Classification System (NAICS) and the 2000 Standard Occupational Classification (SOC) system. The NAICS and SOC data shown prior to 2006 are for informational purposes only. ECI series based on NAICS and SOC became the official BLS estimates starting in March 2006.

The ECI for changes in wages and salaries in the private nonfarm economy was pub-

lished beginning in 1975. Changes in total compensation cost—wages and salaries and benefits combined—were published beginning in 1980. The series of changes in wages and salaries and for total compensation in the State and local government sector and in the civilian nonfarm economy (excluding Federal employees) were published beginning in 1981. Historical indexes (December 2005=100) are available on the Internet: [www.bls.gov/ect/](http://www.bls.gov/ect/)

ADDITIONAL INFORMATION on the Employment Cost Index is available at [www.bls.gov/ncs/ect/home.htm](http://www.bls.gov/ncs/ect/home.htm) or by telephone at (202) 691-6199.

## National Compensation Survey Benefit Measures

### Description of the series

NCS benefit measures of employee benefits are published in two separate reports. The annual summary provides data on the incidence of (access to and participation in) selected benefits and provisions of paid holidays and vacations, life insurance plans, and other selected benefit programs. Data on percentages of establishments offering major employee benefits, and on the employer and employee shares of contributions to medical care premiums also are presented. Selected benefit data appear in the following tables. A second publication, published later, contains more detailed information about health and retirement plans.

### Definitions

**Employer-provided benefits** are benefits that are financed either wholly or partly by the employer. They may be sponsored by a union or other third party, as long as there is some employer financing. However, some benefits that are fully paid for by the employee also are included. For example, long-term care insurance paid entirely by the employee are included because the guarantee of insurability and availability at group premium rates are considered a benefit.

Employees are considered as having **access** to a benefit plan if it is available for their use. For example, if an employee is permitted to participate in a medical care plan offered by the employer, but the employee declines to do so, he or she is placed in the category with those having access to medical care.

Employees in contributory plans are considered as **participating** in an insurance or retirement plan if they have paid required contributions and fulfilled any applicable

service requirement. Employees in noncontributory plans are counted as participating regardless of whether they have fulfilled the service requirements.

**Defined benefit pension plans** use predetermined formulas to calculate a retirement benefit (if any), and obligate the employer to provide those benefits. Benefits are generally based on salary, years of service, or both.

**Defined contribution plans** generally specify the level of employer and employee contributions to a plan, but not the formula for determining eventual benefits. Instead, individual accounts are set up for participants, and benefits are based on amounts credited to these accounts.

**Tax-deferred savings plans** are a type of defined contribution plan that allow participants to contribute a portion of their salary to an employer-sponsored plan and defer income taxes until withdrawal.

**Flexible benefit plans** allow employees to choose among several benefits, such as life insurance, medical care, and vacation days, and among several levels of coverage within a given benefit.

### Notes on the data

ADDITIONAL INFORMATION ON THE NCS benefit measures is available at [www.bls.gov/ncs/ebs/home.htm](http://www.bls.gov/ncs/ebs/home.htm) or by telephone at (202) 691-6199.

## Work stoppages

### Description of the series

Data on work stoppages measure the number and duration of major strikes or lockouts (involving 1,000 workers or more) occurring during the month (or year), the number of workers involved, and the amount of work time lost because of stoppage. These data are presented in table 37.

Data are largely from a variety of published sources and cover only establishments directly involved in a stoppage. They do not measure the indirect or secondary effect of stoppages on other establishments whose employees are idle owing to material shortages or lack of service.

### Definitions

**Number of stoppages:** The number of strikes and lockouts involving 1,000 workers or more and lasting a full shift or longer.

**Workers involved:** The number of workers directly involved in the stoppage.

**Number of days idle:** The aggregate number of workdays lost by workers involved

in the stoppages.

**Days of idleness as a percent of estimated working time:** Aggregate workdays lost as a percent of the aggregate number of standard workdays in the period multiplied by total employment in the period.

## Notes on the data

This series is not comparable with the one terminated in 1981 that covered strikes involving six workers or more.

ADDITIONAL INFORMATION on work stoppages data is available at [www.bls.gov/cba/home.htm](http://www.bls.gov/cba/home.htm) or by telephone at (202) 691-6199.

## Price Data

(Tables 2; 38-46)

Price data are gathered by the Bureau of Labor Statistics from retail and primary markets in the United States. Price indexes are given in relation to a base period—December 2003 = 100 for many Producer Price Indexes (unless otherwise noted), 1982-84 = 100 for many Consumer Price Indexes (unless otherwise noted), and 1990 = 100 for International Price Indexes.

## Consumer Price Indexes

### Description of the series

The **Consumer Price Index** (CPI) is a measure of the average change in the prices paid by urban consumers for a fixed market basket of goods and services. The CPI is calculated monthly for two population groups, one consisting only of urban households whose primary source of income is derived from the employment of wage earners and clerical workers, and the other consisting of all urban households. The wage earner index (CPI-W) is a continuation of the historic index that was introduced well over a half-century ago for use in wage negotiations. As new uses were developed for the CPI in recent years, the need for a broader and more representative index became apparent. The all-urban consumer index (CPI-U), introduced in 1978, is representative of the 1993-95 buying habits of about 87 percent of the noninstitutional population of the United States at that time, compared with 32 percent represented in the CPI-W. In addition to wage earners and clerical workers, the CPI-U covers professional, managerial, and technical workers, the self-employed, short-term workers, the unemployed, retirees, and others not in the labor force.

The CPI is based on prices of food, clothing, shelter, fuel, drugs, transportation fares, doctors' and dentists' fees, and other goods and services that people buy for day-to-day living. The quantity and quality of these items are kept essentially unchanged between major revisions so that only price changes will be measured. All taxes directly associated with the purchase and use of items are included in the index.

Data collected from more than 23,000 retail establishments and 5,800 housing units in 87 urban areas across the country are used to develop the "U.S. city average." Separate estimates for 14 major urban centers are presented in table 39. The areas listed are as indicated in footnote 1 to the table. The area indexes measure only the average change in prices for each area since the base period, and do not indicate differences in the level of prices among cities.

### Notes on the data

In January 1983, the Bureau changed the way in which homeownership costs are measured for the CPI-U. A rental equivalence method replaced the asset-price approach to homeownership costs for that series. In January 1985, the same change was made in the CPI-W. The central purpose of the change was to separate shelter costs from the investment component of homeownership so that the index would reflect only the cost of shelter services provided by owner-occupied homes. An updated CPI-U and CPI-W were introduced with release of the January 1987 and January 1998 data.

FOR ADDITIONAL INFORMATION, contact the Division of Prices and Price Indexes: (202) 691-7000.

## Producer Price Indexes

### Description of the series

**Producer Price Indexes** (PPI) measure average changes in prices received by domestic producers of commodities in all stages of processing. The sample used for calculating these indexes currently contains about 3,200 commodities and about 80,000 quotations per month, selected to represent the movement of prices of all commodities produced in the manufacturing; agriculture, forestry, and fishing; mining; and gas and electricity and public utilities sectors. The stage-of-processing structure of PPI organizes products by class of buyer and degree of fabrication (that is, finished goods, intermediate goods, and crude materials). The traditional commodity structure of PPI organizes products by similarity of end use or material composition. The industry and product structure of PPI organizes data in accordance with the North American Indus-

try Classification System and product codes developed by the U.S. Census Bureau.

To the extent possible, prices used in calculating Producer Price Indexes apply to the first significant commercial transaction in the United States from the production or central marketing point. Price data are generally collected monthly, primarily by mail questionnaire. Most prices are obtained directly from producing companies on a voluntary and confidential basis. Prices generally are reported for the Tuesday of the week containing the 13th day of the month.

Since January 1992, price changes for the various commodities have been averaged together with implicit quantity weights representing their importance in the total net selling value of all commodities as of 1987. The detailed data are aggregated to obtain indexes for stage-of-processing groupings, commodity groupings, durability-of-product groupings, and a number of special composite groups. All Producer Price Index data are subject to revision 4 months after original publication.

FOR ADDITIONAL INFORMATION, contact the Division of Industrial Prices and Price Indexes: (202) 691-7705.

## International Price Indexes

### Description of the series

The **International Price Program** produces monthly and quarterly export and import price indexes for nonmilitary goods and services traded between the United States and the rest of the world. The export price index provides a measure of price change for all products sold by U.S. residents to foreign buyers. ("Residents" is defined as in the national income accounts; it includes corporations, businesses, and individuals, but does not require the organizations to be U.S. owned nor the individuals to have U.S. citizenship.) The import price index provides a measure of price change for goods purchased from other countries by U.S. residents.

The product universe for both the import and export indexes includes raw materials, agricultural products, semifinished manufactures, and finished manufactures, including both capital and consumer goods. Price data for these items are collected primarily by mail questionnaire. In nearly all cases, the data are collected directly from the exporter or importer, although in a few cases, prices are obtained from other sources.

To the extent possible, the data gathered refer to prices at the U.S. border for exports and at either the foreign border or the U.S. border for imports. For nearly all products, the prices refer to transactions completed during

the first week of the month. Survey respondents are asked to indicate all discounts, allowances, and rebates applicable to the reported prices, so that the price used in the calculation of the indexes is the actual price for which the product was bought or sold.

In addition to general indexes of prices for U.S. exports and imports, indexes are also published for detailed product categories of exports and imports. These categories are defined according to the five-digit level of detail for the Bureau of Economic Analysis End-use Classification, the three-digit level for the Standard International Trade Classification (SITC), and the four-digit level of detail for the Harmonized System. Aggregate import indexes by country or region of origin are also available.

BLS publishes indexes for selected categories of internationally traded services, calculated on an international basis and on a balance-of-payments basis.

### Notes on the data

The export and import price indexes are weighted indexes of the Laspeyres type. The trade weights currently used to compute both indexes relate to 2000.

Because a price index depends on the same items being priced from period to period, it is necessary to recognize when a product's specifications or terms of transaction have been modified. For this reason, the Bureau's questionnaire requests detailed descriptions of the physical and functional characteristics of the products being priced, as well as information on the number of units bought or sold, discounts, credit terms, packaging, class of buyer or seller, and so forth. When there are changes in either the specifications or terms of transaction of a product, the dollar value of each change is deleted from the total price change to obtain the "pure" change. Once this value is determined, a linking procedure is employed which allows for the continued repricing of the item.

FOR ADDITIONAL INFORMATION, contact the Division of International Prices: (202) 691-7155.

## Productivity Data

(Tables 2; 47-50)

### Business and major sectors

#### Description of the series

The productivity measures relate real output to real input. As such, they encompass a family of measures which include single-factor input measures, such as output per hour,

output per unit of labor input, or output per unit of capital input, as well as measures of multifactor productivity (output per unit of combined labor and capital inputs). The Bureau indexes show the change in output relative to changes in the various inputs. The measures cover the business, nonfarm business, manufacturing, and nonfinancial corporate sectors.

Corresponding indexes of hourly compensation, unit labor costs, unit nonlabor payments, and prices are also provided.

### Definitions

**Output per hour of all persons** (labor productivity) is the quantity of goods and services produced per hour of labor input. **Output per unit of capital services** (capital productivity) is the quantity of goods and services produced per unit of capital services input. **Multifactor productivity** is the quantity of goods and services produced per combined inputs. For private business and private nonfarm business, inputs include labor and capital units. For manufacturing, inputs include labor, capital, energy, nonenergy materials, and purchased business services.

**Compensation per hour** is total compensation divided by hours at work. Total compensation equals the wages and salaries of employees plus employers' contributions for social insurance and private benefit plans, plus an estimate of these payments for the self-employed (except for nonfinancial corporations in which there are no self-employed). **Real compensation per hour** is compensation per hour deflated by the change in the Consumer Price Index for All Urban Consumers.

**Unit labor costs** are the labor compensation costs expended in the production of a unit of output and are derived by dividing compensation by output. **Unit nonlabor payments** include profits, depreciation, interest, and indirect taxes per unit of output. They are computed by subtracting compensation of all persons from current-dollar value of output and dividing by output.

**Unit nonlabor costs** contain all the components of unit nonlabor payments except unit profits.

**Unit profits** include corporate profits with inventory valuation and capital consumption adjustments per unit of output.

**Hours of all persons** are the total hours at work of payroll workers, self-employed persons, and unpaid family workers.

**Labor inputs** are hours of all persons adjusted for the effects of changes in the education and experience of the labor force.

**Capital services** are the flow of services from the capital stock used in production. It

is developed from measures of the net stock of physical assets—equipment, structures, land, and inventories—weighted by rental prices for each type of asset.

**Combined units of labor and capital inputs** are derived by combining changes in labor and capital input with weights which represent each component's share of total cost. Combined units of labor, capital, energy, materials, and purchased business services are similarly derived by combining changes in each input with weights that represent each input's share of total costs. The indexes for each input and for combined units are based on changing weights which are averages of the shares in the current and preceding year (the Tornquist index-number formula).

### Notes on the data

Business sector output is an annually-weighted index constructed by excluding from real gross domestic product (GDP) the following outputs: general government, nonprofit institutions, paid employees of private households, and the rental value of owner-occupied dwellings. Nonfarm business also excludes farming. Private business and private nonfarm business further exclude government enterprises. The measures are supplied by the U.S. Department of Commerce's Bureau of Economic Analysis. Annual estimates of manufacturing sectoral output are produced by the Bureau of Labor Statistics. Quarterly manufacturing output indexes from the Federal Reserve Board are adjusted to these annual output measures by the BLS. Compensation data are developed from data of the Bureau of Economic Analysis and the Bureau of Labor Statistics. Hours data are developed from data of the Bureau of Labor Statistics.

The productivity and associated cost measures in tables 47-50 describe the relationship between output in real terms and the labor and capital inputs involved in its production. They show the changes from period to period in the amount of goods and services produced per unit of input.

Although these measures relate output to hours and capital services, they do not measure the contributions of labor, capital, or any other specific factor of production. Rather, they reflect the joint effect of many influences, including changes in technology; shifts in the composition of the labor force; capital investment; level of output; changes in the utilization of capacity, energy, material, and research and development; the organization of production; managerial skill; and characteristics and efforts of the work force.

FOR ADDITIONAL INFORMATION on this productivity series, contact the Division of Productivity Research: (202) 691-5606.

## Industry productivity measures

### Description of the series

The BLS industry productivity indexes measure the relationship between output and inputs for selected industries and industry groups, and thus reflect trends in industry efficiency over time. Industry measures include labor productivity, multifactor productivity, compensation, and unit labor costs.

The industry measures differ in methodology and data sources from the productivity measures for the major sectors because the industry measures are developed independently of the National Income and Product Accounts framework used for the major sector measures.

### Definitions

**Output per hour** is derived by dividing an index of industry output by an index of labor input. For most industries, **output** indexes are derived from data on the value of industry output adjusted for price change. For the remaining industries, output indexes are derived from data on the physical quantity of production.

The **labor input** series is based on the hours of all workers or, in the case of some transportation industries, on the number of employees. For most industries, the series consists of the hours of all employees. For some trade and services industries, the series also includes the hours of partners, proprietors, and unpaid family workers.

**Unit labor costs** represent the labor compensation costs per unit of output produced, and are derived by dividing an index of labor compensation by an index of output. **Labor compensation** includes payroll as well as supplemental payments, including both legally required expenditures and payments for voluntary programs.

**Multifactor productivity** is derived by dividing an index of industry output by an index of combined inputs consumed in producing that output. **Combined inputs** include capital, labor, and intermediate purchases. The measure of **capital input** represents the flow of services from the capital stock used in production. It is developed from measures of the net stock of physical assets—equipment, structures, land, and inventories. The measure of **intermediate purchases** is a combination of purchased materials, services,

fuels, and electricity.

### Notes on the data

The industry measures are compiled from data produced by the Bureau of Labor Statistics and the Census Bureau, with additional data supplied by other government agencies, trade associations, and other sources.

FOR ADDITIONAL INFORMATION on this series, contact the Division of Industry Productivity Studies: (202) 691-5618, or visit the Web site at: [www.bls.gov/lpc/home.htm](http://www.bls.gov/lpc/home.htm)

## International Comparisons

(Tables 51–53)

### Labor force and unemployment

#### Description of the series

Tables 51 and 52 present comparative measures of the labor force, employment, and unemployment adjusted to U.S. concepts for the United States, Canada, Australia, Japan, and six European countries. The Bureau adjusts the figures for these selected countries, for all known major definitional differences, to the extent that data to prepare adjustments are available. Although precise comparability may not be achieved, these adjusted figures provide a better basis for international comparisons than the figures regularly published by each country. For further information on adjustments and comparability issues, see Constance Sorrentino, “International unemployment rates: how comparable are they?” *Monthly Labor Review*, June 2000, pp. 3–20, available on the Internet at [www.bls.gov/opub/mlr/2000/06/art1full.pdf](http://www.bls.gov/opub/mlr/2000/06/art1full.pdf).

#### Definitions

For the principal U.S. definitions of the labor force, employment, and unemployment, see the Notes section on Employment and Unemployment Data: Household survey data.

### Notes on the data

Foreign-country data are adjusted as closely as possible to the U.S. definitions. Primary areas of adjustment address conceptual differences in upper age limits and definitions of employment and unemployment, provided that reliable data are available to make these adjustments. Adjustments are made where applicable to include employed and unemployed persons above upper age limits and to exclude active duty military

from employment figures, although a small number of career military may be included in some European countries. Adjustments are made to exclude unpaid family workers who worked fewer than 15 hours per week from employment figures; U.S. concepts do not include them in employment, whereas most foreign countries include all unpaid family workers regardless of the number of hours worked. Adjustments are made to include full-time students seeking work and available for work as unemployed when they are classified as not in the labor force.

Where possible, lower age limits are based on the age at which compulsory schooling ends in each country, rather than based on the U.S. standard of 16. Lower age limits have ranged between 13 and 16 over the years covered; currently, the lower age limits are either 15 or 16 in all 10 countries.

Some adjustments for comparability are not made because data are unavailable for adjustment purposes. For example, no adjustments to unemployment are usually made for deviations from U.S. concepts in the treatment of persons waiting to start a new job or passive job seekers. These conceptual differences have little impact on the measures. Furthermore, BLS studies have concluded that no adjustments should be made for persons on layoff who are counted as employed in some countries because of their strong job attachment as evidenced by, for example, payment of salary or the existence of a recall date. In the United States, persons on layoff have weaker job attachment and are classified as unemployed.

The annual labor force measures are obtained from monthly, quarterly, or continuous household surveys and may be calculated as averages of monthly or quarterly data. Quarterly and monthly unemployment rates are based on household surveys. For some countries, they are calculated by applying annual adjustment factors to current published data and, therefore, are less precise indicators of unemployment under U.S. concepts than the annual figures.

The labor force measures may have breaks in series over time due to changes in surveys, sources, or estimation methods. Breaks are noted in data tables.

For up-to-date information on adjustments and breaks in series, see the Introduction and Appendix B. Country Notes in *International Comparisons of Annual Labor Force Statistics, Adjusted to U.S. Concepts, 10 Countries, 1997–2009*, on the Internet at [www.bls.gov/ilc/flscomparelf.htm](http://www.bls.gov/ilc/flscomparelf.htm), and the Notes for Table 1 in the monthly report *International Unemployment Rates and Employment Indexes, Seasonally Adjusted, 2008–2010*,

on the Internet at [www.bls.gov/ilc/intl\\_unemployment\\_rates\\_monthly.htm](http://www.bls.gov/ilc/intl_unemployment_rates_monthly.htm).

## Manufacturing productivity and labor costs

### Description of the series

Table 53 presents comparative indexes of manufacturing output per hour (labor productivity), output, total hours, compensation per hour, and unit labor costs for 19 countries. These measures are trend comparisons—that is, series that measure changes over time—rather than level comparisons. BLS does not recommend using these series for level comparisons because of technical problems.

BLS constructs the comparative indexes from three basic aggregate measures—output, total labor hours, and total compensation. The hours and compensation measures refer to employees (wage and salary earners) in Belgium and Taiwan. For all other economies, the measures refer to all employed persons, including employees, self-employed persons, and unpaid family workers.

The data for recent years are based on the United Nations System of National Accounts 1993 (SNA 93). Manufacturing is generally defined according to the International Standard Industrial Classification (ISIC). However, the measures for France include parts of mining as well. For the United States and Canada, manufacturing is defined according to the North American Industry Classification System (NAICS 97).

### Definitions

**Output.** For most economies, the output measures are real value added in manufacturing from national accounts. However, output for Japan prior to 1970 and for the Netherlands prior to 1960 are indexes of industrial production. The manufacturing value added measures for the United Kingdom are essentially identical to their indexes of industrial production.

For the United States, the output measure is a chain-weighted index of real value added produced by the Bureau of Economic Analysis. BLS uses this series here to preserve international comparability. However, for its domestic industry measures, shown in tables 47–50 in this section, BLS uses a different output measures called “sectoral output,” which is gross output less intra-sector transactions.

**Total hours** refer to hours worked in all economies. The measures are developed from

statistics of manufacturing employment and average hours. For most other economies, recent years’ aggregate hours series are obtained from national statistical offices, usually from national accounts. However, for some economies and for earlier years, BLS calculates the aggregate hours series using employment figures published with the national accounts, or other comprehensive employment series, and data on average hours worked.

**Hourly compensation** is total compensation divided by total hours. Total compensation includes all payments in cash or in-kind made directly to employees plus employer expenditures for legally required insurance programs and contractual and private benefit plans. For Australia, Canada, France, Singapore, and Sweden, compensation is increased to account for important taxes on payroll or employment. For the Czech Republic, Finland, and the United Kingdom, compensation is reduced in certain years to account for subsidies.

**Labor productivity** is defined as real output per hour worked. Although the labor productivity measure presented in this release relates output to the hours worked of persons employed in manufacturing, it does not measure the specific contributions of labor as a single factor of production. Rather, it reflects the joint effects of many influences, including new technology, capital investment, capacity utilization, energy use, and managerial skills, as well as the skills and efforts of the workforce.

**Unit labor costs** are defined as the cost of labor input required to produce one unit of output. They are computed as compensation in nominal terms divided by real output.

### Notes on the data

The measures for recent years may be based on current indicators of manufacturing output (such as industrial production indexes), employment, average hours, and hourly compensation until national accounts and other statistics used for the long-term measures become available. For more in-depth information on sources and methods, see <http://www.bls.gov/news.release/prod4.toc.htm>.

FOR ADDITIONAL INFORMATION on international comparisons, contact the Division of International Labor Comparisons: (202) 691-5654 or [ilchelp@bls.gov](mailto:ilchelp@bls.gov).

## Occupational Injury and Illness Data

(Tables 54–55)

## Survey of Occupational Injuries and Illnesses

### Description of the series

The Survey of Occupational Injuries and Illnesses collects data from employers about their workers’ job-related nonfatal injuries and illnesses. The information that employers provide is based on records that they maintain under the Occupational Safety and Health Act of 1970. Self-employed individuals, farms with fewer than 11 employees, employers regulated by other Federal safety and health laws, and Federal, State, and local government agencies are excluded from the survey.

The survey is a Federal-State cooperative program with an independent sample selected for each participating State. A stratified random sample with a Neyman allocation is selected to represent all private industries in the State. The survey is stratified by Standard Industrial Classification and size of employment.

### Definitions

Under the Occupational Safety and Health Act, employers maintain records of nonfatal work-related injuries and illnesses that involve one or more of the following: loss of consciousness, restriction of work or motion, transfer to another job, or medical treatment other than first aid.

**Occupational injury** is any injury such as a cut, fracture, sprain, or amputation that results from a work-related event or a single, instantaneous exposure in the work environment.

**Occupational illness** is an abnormal condition or disorder, other than one resulting from an occupational injury, caused by exposure to factors associated with employment. It includes acute and chronic illnesses or disease which may be caused by inhalation, absorption, ingestion, or direct contact.

**Lost workday injuries and illnesses** are cases that involve days away from work, or days of restricted work activity, or both.

**Lost workdays** include the number of workdays (consecutive or not) on which the employee was either away from work or at work in some restricted capacity, or both, because of an occupational injury or illness. BLS measures of the number and incidence rate of lost workdays were discontinued beginning with the 1993 survey. The number of days away from work or days of restricted work activity does not include the day of injury or onset of illness or any days on which the employee would not have worked, such as a Federal holiday, even though able to work.

**Incidence rates** are computed as the number of injuries and/or illnesses or lost work days per 100 full-time workers.

### Notes on the data

The definitions of occupational injuries and illnesses are from *Recordkeeping Guidelines for Occupational Injuries and Illnesses* (U.S. Department of Labor, Bureau of Labor Statistics, September 1986).

Estimates are made for industries and employment size classes for total recordable cases, lost workday cases, days away from work cases, and nonfatal cases without lost workdays. These data also are shown separately for injuries. Illness data are available for seven categories: occupational skin diseases or disorders, dust diseases of the lungs, respiratory conditions due to toxic agents, poisoning (systemic effects of toxic agents), disorders due to physical agents (other than toxic materials), disorders associated with repeated trauma, and all other occupational illnesses.

The survey continues to measure the number of new work-related illness cases which are recognized, diagnosed, and reported during the year. Some conditions, for example, long-term latent illnesses caused by exposure to carcinogens, often are difficult to relate to the workplace and are not adequately recognized and reported. These long-term latent illnesses are believed to be understated in the survey's illness measure. In contrast, the overwhelming majority of the reported new illnesses are those which are easier to directly relate to workplace activity (for example, contact dermatitis and carpal tunnel syndrome).

Most of the estimates are in the form of incidence rates, defined as the number of injuries and illnesses per 100 equivalent full-time workers. For this purpose, 200,000 employee hours represent 100 employee years (2,000 hours per employee). Full detail on the available measures is presented in the annual bulletin, *Occupational Injuries and*

*Illnesses: Counts, Rates, and Characteristics*.

Comparable data for more than 40 States and territories are available from the BLS Office of Safety, Health and Working Conditions. Many of these States publish data on State and local government employees in addition to private industry data.

Mining and railroad data are furnished to BLS by the Mine Safety and Health Administration and the Federal Railroad Administration. Data from these organizations are included in both the national and State data published annually.

With the 1992 survey, BLS began publishing details on serious, nonfatal incidents resulting in days away from work. Included are some major characteristics of the injured and ill workers, such as occupation, age, gender, race, and length of service, as well as the circumstances of their injuries and illnesses (nature of the disabling condition, part of body affected, event and exposure, and the source directly producing the condition). In general, these data are available nationwide for detailed industries and for individual States at more aggregated industry levels.

FOR ADDITIONAL INFORMATION on occupational injuries and illnesses, contact the Office of Occupational Safety, Health and Working Conditions at (202) 691-6180, or access the Internet at: [www.bls.gov/iif/](http://www.bls.gov/iif/).

## Census of Fatal Occupational Injuries

The Census of Fatal Occupational Injuries compiles a complete roster of fatal job-related injuries, including detailed data about the fatally injured workers and the fatal events. The program collects and cross checks fatality information from multiple sources, including death certificates, State and Federal workers' compensation reports, Occupational Safety and Health Administration and Mine Safety and Health Administration records, medical examiner and autopsy reports, media ac-

counts, State motor vehicle fatality records, and follow-up questionnaires to employers.

In addition to private wage and salary workers, the self-employed, family members, and Federal, State, and local government workers are covered by the program. To be included in the fatality census, the decedent must have been employed (that is working for pay, compensation, or profit) at the time of the event, engaged in a legal work activity, or present at the site of the incident as a requirement of his or her job.

### Definition

**A fatal work injury** is any intentional or unintentional wound or damage to the body resulting in death from acute exposure to energy, such as heat or electricity, or kinetic energy from a crash, or from the absence of such essentials as heat or oxygen caused by a specific event or incident or series of events within a single workday or shift. Fatalities that occur during a person's commute to or from work are excluded from the census, as well as work-related illnesses, which can be difficult to identify due to long latency periods.

### Notes on the data

Twenty-eight data elements are collected, coded, and tabulated in the fatality program, including information about the fatally injured worker, the fatal incident, and the machinery or equipment involved. Summary worker demographic data and event characteristics are included in a national news release that is available about 8 months after the end of the reference year. The Census of Fatal Occupational Injuries was initiated in 1992 as a joint Federal-State effort. Most States issue summary information at the time of the national news release.

FOR ADDITIONAL INFORMATION on the Census of Fatal Occupational Injuries contact the BLS Office of Safety, Health, and Working Conditions at (202) 691-6175, or the Internet at: [www.bls.gov/iif/](http://www.bls.gov/iif/)



## 1. Labor market indicators

Selected indicators	2008	2009	2008		2009				2010		
			III	IV	I	II	III	IV	I	II	III
<b>Employment data</b>											
Employment status of the civilian noninstitutional population (household survey): <sup>1</sup>											
Labor force participation rate.....	66.0	65.4	66.0	65.9	65.7	65.7	65.3	64.9	64.8	65.0	64.7
Employment-population ratio.....	62.2	59.3	62.0	61.3	60.3	59.7	59.0	58.4	58.5	58.7	58.5
Unemployment rate.....	5.8	9.3	6.0	6.9	8.2	9.3	9.7	10.0	9.7	9.7	9.6
Men.....	6.1	10.3	6.4	7.6	9.0	10.4	10.8	11.2	10.7	10.6	10.5
16 to 24 years.....	14.4	20.1	14.9	16.5	18.1	19.9	20.7	22.0	21.7	21.0	20.8
25 years and older.....	4.8	8.8	5.1	6.1	7.6	8.9	9.4	9.5	9.0	9.0	9.0
Women.....	5.4	8.1	5.6	6.2	7.3	8.0	8.3	8.7	8.5	8.7	8.6
16 to 24 years.....	11.2	14.9	11.7	11.7	13.2	14.6	15.6	15.9	15.5	16.1	15.4
25 years and older.....	4.4	6.9	4.5	5.3	6.2	6.9	7.1	7.5	7.4	7.5	7.4
Employment, nonfarm (payroll data), in thousands: <sup>1</sup>											
Total nonfarm.....	136,790	130,920	136,283	134,328	132,070	130,640	129,857	129,588	129,849	130,419	130,311
Total private.....	114,281	108,371	113,715	111,767	109,510	108,075	107,377	107,107	107,343	107,696	108,063
Goods-producing.....	21,334	18,620	21,092	20,294	19,233	18,503	18,124	17,906	17,905	17,994	18,049
Manufacturing.....	13,406	11,883	13,270	12,822	12,212	11,782	11,634	11,534	11,591	11,672	11,669
Service-providing.....	115,456	112,300	115,191	114,031	112,837	112,137	111,733	111,682	111,944	112,425	112,413
Average hours:											
Total private.....	33.6	33.1	33.5	33.3	33.1	33.0	33.1	33.2	33.3	33.4	33.6
Manufacturing.....	40.8	39.8	40.4	39.8	39.4	39.5	39.9	40.5	41.0	41.0	41.2
Overtime.....	3.7	2.9	3.5	2.9	2.6	2.8	3.0	3.4	3.7	3.9	3.9
<b>Employment Cost Index<sup>1, 2, 3</sup></b>											
Total compensation:											
Civilian nonfarm <sup>4</sup> .....	2.6	1.5	.8	.3	.4	.4	.5	.3	.6	.4	.5
Private nonfarm.....	2.4	1.2	.6	.2	.4	.3	.4	.2	.8	.5	.4
Goods-producing <sup>5</sup> .....	2.4	1.0	.4	.3	.4	.3	.2	.2	1.1	.5	.6
Service-providing <sup>5</sup> .....	2.5	1.3	.6	.3	.4	.3	.4	.3	.7	.5	.4
State and local government.....	3.0	2.4	1.7	.3	.6	.5	1.0	.3	.3	.3	.9
Workers by bargaining status (private nonfarm):											
Union.....	2.8	2.9	.7	.6	1.0	.6	.6	.5	1.5	.8	.8
Nonunion.....	2.4	.9	.6	.2	.3	.2	.3	.2	.7	.5	.4

<sup>1</sup> Quarterly data seasonally adjusted.

<sup>2</sup> Annual changes are December-to-December changes. Quarterly changes are calculated using the last month of each quarter.

<sup>3</sup> The Employment Cost Index data reflect the conversion to the 2002 North American Classification System (NAICS) and the 2000 Standard Occupational Classification (SOC) system. The NAICS and SOC data shown prior to 2006 are for informational purposes only. Series based on NAICS and SOC became the official BLS estimates starting in March 2006.

<sup>4</sup> Excludes Federal and private household workers.

<sup>5</sup> Goods-producing industries include mining, construction, and manufacturing. Service-providing industries include all other private sector industries.

NOTE: Beginning in January 2003, household survey data reflect revised population controls. Nonfarm data reflect the conversion to the 2002 version of the North American Industry Classification System (NAICS), replacing the Standard Industrial Classification (SIC) system. NAICS-based data by industry are not comparable with SIC-based data.

**2. Annual and quarterly percent changes in compensation, prices, and productivity**

Selected measures	2008	2009	2008		2009				2010		
			III	IV	I	II	III	IV	I	II	III
<b>Compensation data<sup>1, 2, 3</sup></b>											
Employment Cost Index—compensation:											
Civilian nonfarm.....	2.6	1.5	0.8	0.3	0.4	0.4	0.5	0.3	0.6	0.4	0.5
Private nonfarm.....	2.4	1.2	.6	.2	.4	.3	.4	.2	.8	.5	.4
Employment Cost Index—wages and salaries:											
Civilian nonfarm.....	2.7	1.5	.8	.3	.4	.4	.5	.3	.4	.4	.4
Private nonfarm.....	2.6	1.4	.6	.3	.4	.3	.5	.3	.5	.4	.4
<b>Price data<sup>1</sup></b>											
Consumer Price Index (All Urban Consumers): All Items.....	3.8	-4	0	-3.9	1.2	1.4	.1	.0	.8	.2	.2
Producer Price Index:											
Finished goods.....	6.3	-2.5	-1	-7.4	.2	3.1	-6	1.6	1.8	.0	.6
Finished consumer goods.....	7.4	-3.8	-4	-10.0	.3	4.3	-7	1.9	2.4	.0	.8
Capital equipment.....	2.9	2.0	1.0	1.9	-2	-2	-4	.8	.0	-1	.0
Intermediate materials, supplies, and components.....	10.3	-8.3	.7	-13.6	-2.1	2.8	1.2	1.1	2.6	1.4	.4
Crude materials.....	21.6	-30.5	-15.6	-32.1	-7.2	12.3	-3.5	12.7	8.8	-4.2	2.5
<b>Productivity data<sup>4</sup></b>											
Output per hour of all persons:											
Business sector.....	1.1	3.5	-1.1	-.3	3.5	8.3	7.2	6.1	3.5	-1.8	2.2
Nonfarm business sector.....	1.0	3.5	-1.3	-.1	3.4	8.4	7.0	6.0	3.9	-1.8	1.9
Nonfinancial corporations <sup>5</sup> .....	2.7	1.6	5.9	.4	-5.2	3.4	5.3	12.5	8.6	-1.6	—

<sup>1</sup> Annual changes are December-to-December changes. Quarterly changes are calculated using the last month of each quarter. Compensation and price data are not seasonally adjusted, and the price data are not compounded.

<sup>2</sup> Excludes Federal and private household workers.

<sup>3</sup> The Employment Cost Index data reflect the conversion to the 2002 North American Classification System (NAICS) and the 2000 Standard Occupational Classification (SOC) system. The NAICS and SOC data shown prior to 2006 are for informational purposes only.

only. Series based on NAICS and SOC became the official BLS estimates starting in March 2006.

<sup>4</sup> Annual rates of change are computed by comparing annual averages. Quarterly percent changes reflect annual rates of change in quarterly indexes. The data are seasonally adjusted.

<sup>5</sup> Output per hour of all employees.

**3. Alternative measures of wage and compensation changes**

Components	Quarterly change					Four quarters ending—				
	2009		2010			2009		2010		
	III	IV	I	II	III	III	IV	I	II	III
Average hourly compensation: <sup>1</sup>										
All persons, business sector.....	3.8	1.5	-1.1	-0.7	2.1	2.4	2.5	3.2	0.8	0.4
All persons, nonfarm business sector.....	3.4	1.5	-9	-6	1.8	2.4	2.5	3.2	.8	.5
Employment Cost Index—compensation: <sup>2</sup>										
Civilian nonfarm <sup>3</sup> .....	.5	.3	.6	.4	.5	1.5	1.5	1.7	1.8	1.9
Private nonfarm.....	.4	.2	.8	.5	.4	1.2	1.2	1.6	1.9	2.0
Union.....	.6	.5	1.5	.8	.8	2.9	2.9	3.4	3.6	3.7
Nonunion.....	.3	.2	.7	.5	.4	.9	.9	1.4	1.6	1.7
State and local government.....	1.0	.3	.3	.3	.9	2.4	2.4	2.0	1.8	1.7
Employment Cost Index—wages and salaries: <sup>2</sup>										
Civilian nonfarm <sup>3</sup> .....	.5	.3	.4	.4	.4	1.5	1.5	1.5	1.6	1.5
Private nonfarm.....	.5	.3	.5	.4	.4	1.4	1.4	1.5	1.6	1.6
Union.....	.5	.6	.5	.5	.5	2.6	2.6	2.5	2.3	2.3
Nonunion.....	.4	.3	.5	.4	.4	1.1	1.2	1.3	1.5	1.6
State and local government.....	.8	.2	.3	.2	.4	2.1	2.0	1.8	1.4	1.1

<sup>1</sup> Seasonally adjusted. "Quarterly average" is percent change from a quarter ago, at an annual rate.

<sup>2</sup> The Employment Cost Index data reflect the conversion to the 2002 North American Classification System (NAICS) and the 2000 Standard

Occupational Classification (SOC) system. The NAICS and SOC data shown prior to 2006 are for informational purposes only. Series based on NAICS and SOC became the official BLS estimates starting in March 2006.

<sup>3</sup> Excludes Federal and private household workers.



4. Continued—Employment status of the population, by sex, age, race, and Hispanic origin, monthly data seasonally adjusted

[Numbers in thousands]

Employment status	Annual average		2009		2010										
	2009	2010	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.
<b>Hispanic or Latino ethnicity</b>															
Civilian noninstitutional population <sup>1</sup> .....	32,891	33,713	33,291	33,379	33,251	33,335	33,414	33,498	33,578	33,662	33,747	33,836	33,927	34,014	34,102
Civilian labor force.....	22,352	22,748	22,567	22,408	22,595	22,639	22,697	22,674	22,739	22,677	22,737	22,733	22,896	22,814	22,915
Participation rate.....	68.0	67.5	67.8	67.1	68.0	67.9	67.9	67.7	67.7	67.4	67.4	67.2	67.5	67.1	67.2
Employed.....	19,647	19,906	19,720	19,532	19,764	19,849	19,854	19,854	19,913	19,867	19,980	19,991	20,042	19,936	19,899
Employment-population ratio <sup>2</sup> .....	59.7	59.0	59.2	58.5	59.4	59.5	59.4	59.3	59.3	59.0	59.2	59.1	59.1	58.6	58.4
Unemployed.....	2,706	2,843	2,847	2,876	2,831	2,791	2,843	2,820	2,826	2,810	2,757	2,742	2,854	2,878	3,016
Unemployment rate.....	12.1	12.5	12.6	12.8	12.5	12.3	12.5	12.4	12.4	12.4	12.1	12.1	12.5	12.6	13.2
Not in the labor force.....	10,539	10,964	10,725	10,971	10,656	10,695	10,716	10,824	10,839	10,986	11,010	11,102	11,031	11,201	11,188

<sup>1</sup> The population figures are not seasonally adjusted.

<sup>2</sup> Civilian employment as a percent of the civilian noninstitutional population.

<sup>3</sup> Beginning in 2003, persons who selected this race group only; persons who selected more than one race group are not included. Prior to 2003, persons who reported more than one race were included in the group they identified as the main race.

NOTE: Estimates for the above race groups (white and black or African American) do not sum to totals because data are not presented for all races. In addition, persons whose ethnicity is identified as Hispanic or Latino may be of any race and, therefore, are classified by ethnicity as well as by race. Beginning in January 2003, data reflect revised population controls used in the household survey.

5. Selected employment indicators, monthly data seasonally adjusted

[In thousands]

Selected categories	Annual average		2009		2010										
	2009	2010	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.
<b>Characteristic</b>															
Employed, 16 years and older..	139,877	139,064	138,590	137,960	138,511	138,698	138,952	139,382	139,353	139,092	138,991	139,267	139,378	139,084	138,909
Men.....	73,670	73,359	72,897	72,609	72,667	72,884	73,163	73,526	73,603	73,385	73,466	73,600	73,594	73,470	73,337
Women.....	66,208	65,705	65,693	65,351	65,844	65,813	65,789	65,856	65,750	65,706	65,526	65,667	65,784	65,613	65,572
Married men, spouse present.....	43,998	43,292	43,308	43,323	43,174	43,210	43,152	43,248	43,343	43,341	43,372	43,418	43,701	43,301	43,130
Married women, spouse present.....	35,207	34,582	34,874	34,962	34,999	35,207	34,810	34,592	34,231	34,359	34,345	34,271	34,469	34,553	34,543
<b>Persons at work part time<sup>1</sup></b>															
All industries:															
Part time for economic reasons.....	8,913	8,874	9,189	9,093	8,367	8,793	9,012	9,146	8,776	8,631	8,533	8,883	9,506	9,100	8,960
Slack work or business conditions.....	6,648	6,174	6,667	6,397	5,831	6,188	6,174	6,247	6,141	6,172	6,164	6,357	6,732	6,174	6,025
Could only find part-time work.....	1,966	2,375	2,204	2,362	2,271	2,174	2,351	2,492	2,299	2,123	2,301	2,379	2,478	2,564	2,557
Part time for noneconomic reasons.....	18,710	18,251	18,234	18,359	18,521	18,326	18,334	18,035	17,977	17,963	18,219	18,566	18,256	18,230	18,326
Nonagricultural industries:															
Part time for economic reasons.....	8,791	8,744	9,102	8,993	8,239	8,659	8,903	9,048	8,630	8,482	8,384	8,752	9,380	8,991	8,822
Slack work or business conditions.....	6,556	6,087	6,595	6,327	5,761	6,085	6,093	6,186	6,038	6,080	6,051	6,276	6,649	6,108	5,941
Could only find part-time work.....	1,955	2,358	2,212	2,340	2,286	2,169	2,378	2,480	2,282	2,098	2,235	2,347	2,454	2,534	2,555
Part time for noneconomic reasons.....	18,372	17,911	17,891	18,020	18,141	17,987	18,001	17,733	17,691	17,694	17,886	18,175	17,911	17,848	17,929

<sup>1</sup> Excludes persons "with a job but not at work" during the survey period for such reasons as vacation, illness, or industrial disputes.

NOTE: Beginning in January 2003, data reflect revised population controls used in the household survey.

## 6. Selected unemployment indicators, monthly data seasonally adjusted

[Unemployment rates]

Selected categories	Annual average		2009		2010										
	2009	2010	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.
<b>Characteristic</b>															
Total, 16 years and older.....	9.3	9.6	9.9	9.9	9.7	9.7	9.7	9.8	9.6	9.5	9.5	9.6	9.6	9.7	9.8
Both sexes, 16 to 19 years.....	24.3	25.9	26.9	26.8	26.2	25.0	26.0	25.4	26.4	25.8	26.1	26.2	26.0	27.1	24.5
Men, 20 years and older.....	9.6	9.8	10.3	10.2	10.0	10.0	10.0	10.0	9.8	9.8	9.7	9.8	9.7	9.7	9.9
Women, 20 years and older.....	7.5	8.0	7.9	8.2	7.8	8.0	8.0	8.2	8.1	7.8	7.9	8.0	8.0	8.1	8.3
White, total <sup>1</sup> .....	8.5	8.7	9.1	9.0	8.7	8.8	8.7	9.0	8.8	8.6	8.6	8.7	8.7	8.8	8.9
Both sexes, 16 to 19 years.....	21.8	23.2	23.3	23.6	23.4	22.6	23.7	23.4	24.2	23.2	23.4	23.7	23.3	23.4	21.1
Men, 16 to 19 years.....	25.2	26.3	26.5	27.2	27.6	24.9	27.0	27.2	26.6	27.1	26.2	27.0	26.8	26.0	23.3
Women, 16 to 19 years.....	18.4	20.0	20.1	20.0	18.9	20.2	20.4	19.6	21.8	19.3	20.4	20.4	19.9	20.8	18.7
Men, 20 years and older.....	8.8	8.9	9.6	9.3	9.1	9.1	8.9	9.3	8.8	8.9	8.8	8.9	8.9	8.9	9.1
Women, 20 years and older.....	6.8	7.2	7.3	7.4	6.8	7.3	7.2	7.3	7.3	7.1	7.1	7.1	7.2	7.3	7.5
Black or African American, total <sup>1</sup> .....	14.8	16.0	15.7	16.2	16.4	15.8	16.5	16.5	15.5	15.4	15.7	16.2	16.1	15.7	16.0
Both sexes, 16 to 19 years.....	39.5	43.0	49.0	47.7	43.0	41.8	41.1	38.3	38.5	40.4	41.3	45.7	49.2	47.7	46.3
Men, 16 to 19 years.....	46.0	45.4	55.5	52.6	47.4	44.4	46.8	37.0	36.4	43.7	44.6	51.2	48.3	51.3	49.5
Women, 16 to 19 years.....	33.4	40.5	41.5	42.7	38.7	39.2	35.1	39.7	40.2	37.0	37.7	39.5	50.1	44.0	43.1
Men, 20 years and older.....	16.3	17.3	17.0	16.8	17.7	17.8	19.0	17.7	17.1	17.4	16.7	17.2	17.4	16.2	16.6
Women, 20 years and older.....	11.5	12.8	11.8	13.1	13.2	12.1	12.4	13.8	12.4	11.8	12.9	13.2	12.7	12.8	13.1
Hispanic or Latino ethnicity.....	12.1	12.5	12.6	12.8	12.5	12.3	12.5	12.4	12.4	12.4	12.1	12.1	12.5	12.6	13.2
Married men, spouse present.....	6.6	6.8	7.3	7.2	6.6	6.8	6.8	6.7	6.7	6.8	6.6	6.8	6.8	6.9	6.9
Married women, spouse present.....	5.5	5.9	5.7	5.9	5.9	6.1	6.0	6.2	6.2	5.9	5.8	5.9	5.7	5.7	5.8
Full-time workers.....	10.0	10.4	10.9	10.8	10.5	10.5	10.5	10.6	10.4	10.2	10.2	10.3	10.4	10.5	10.7
Part-time workers.....	6.0	6.3	5.7	6.1	6.5	6.3	6.7	6.5	6.6	6.4	6.4	6.7	6.1	6.3	5.8
<b>Educational attainment<sup>2</sup></b>															
Less than a high school diploma.....	14.6	14.9	14.8	15.3	15.1	15.5	14.4	14.7	14.9	14.1	13.9	14.2	15.4	15.3	15.7
High school graduates, no college <sup>3</sup> .....	9.7	10.3	10.4	10.6	10.1	10.5	10.8	10.5	10.8	10.7	10.1	10.2	10.0	10.1	10.0
Some college or associate degree.....	8.0	8.4	8.8	8.8	8.5	7.9	8.2	8.3	8.3	8.3	8.4	8.7	9.1	8.5	8.7
Bachelor's degree and higher <sup>4</sup> .....	4.6	4.7	4.9	4.9	4.8	4.9	4.8	4.8	4.6	4.4	4.5	4.6	4.5	4.7	5.1

<sup>1</sup> Beginning in 2003, persons who selected this race group only; persons who selected more than one race group are not included. Prior to 2003, persons who reported more than one race were included in the group they identified as the main race.

<sup>2</sup> Data refer to persons 25 years and older.

## 7. Duration of unemployment, monthly data seasonally adjusted

[Numbers in thousands]

Weeks of unemployment	Annual average		2009		2010										
	2009	2010	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.
Less than 5 weeks.....	3,165	2,771	2,767	2,908	2,915	2,729	2,654	2,695	2,763	2,779	2,833	2,756	2,872	2,659	2,824
5 to 14 weeks.....	3,828	3,267	3,475	3,483	3,346	3,380	3,210	3,000	3,060	3,138	3,098	3,604	3,329	3,427	3,336
15 weeks and over.....	7,272	8,786	8,874	8,913	8,916	8,834	8,966	8,933	8,884	8,900	8,709	8,471	8,517	8,734	8,843
15 to 26 weeks.....	2,775	2,371	2,955	2,781	2,614	2,703	2,449	2,274	2,174	2,209	2,171	2,210	2,364	2,500	2,515
27 weeks and over.....	4,496	6,415	5,919	6,133	6,302	6,131	6,517	6,659	6,710	6,691	6,539	6,261	6,153	6,234	6,328
Mean duration, in weeks.....	24.4	33.0	28.8	29.3	30.5	29.8	31.7	33.1	34.3	34.8	33.9	33.5	33.4	33.9	33.9
Median duration, in weeks.....	15.1	21.4	20.2	20.4	20.0	19.6	20.3	21.6	22.8	25.5	21.7	20.6	20.5	21.3	21.7

NOTE: Beginning in January 2003, data reflect revised population controls used in the household survey.

**8. Unemployed persons by reason for unemployment, monthly data seasonally adjusted**

[Numbers in thousands]

Reason for unemployment	Annual average		2009		2010										
	2009	2010	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.
Job losers <sup>1</sup> .....	9,160	9,250	9,763	9,688	9,287	9,493	9,368	9,237	9,194	9,097	9,090	9,285	9,286	9,070	9,471
On temporary layoff.....	1,630	1,431	1,518	1,530	1,452	1,541	1,570	1,356	1,448	1,403	1,268	1,505	1,340	1,293	1,430
Not on temporary layoff.....	7,530	7,819	8,245	8,158	7,835	7,953	7,798	7,881	7,746	7,694	7,822	7,780	7,947	7,777	8,042
Job leavers.....	882	889	933	916	908	878	893	933	966	897	896	868	809	854	864
Reentrants.....	3,187	3,466	3,218	3,385	3,603	3,444	3,523	3,749	3,430	3,272	3,417	3,418	3,441	3,498	3,427
New entrants.....	1,035	1,220	1,319	1,244	1,210	1,220	1,185	1,217	1,192	1,147	1,197	1,260	1,193	1,278	1,269
<b>Percent of unemployed</b>															
Job losers <sup>1</sup> .....	64.2	62.4	64.1	63.6	61.9	63.1	62.6	61.0	62.2	63.1	62.3	62.6	63.0	61.7	63.0
On temporary layoff.....	11.4	9.6	10.0	10.0	9.7	10.2	10.5	9.0	9.8	9.7	8.7	10.1	9.1	8.8	9.5
Not on temporary layoff.....	52.8	52.7	54.1	53.6	52.2	52.9	52.1	52.4	53.4	53.6	52.5	54.0	52.9	53.5	
Job leavers.....	6.2	6.0	6.1	6.0	6.1	5.8	6.0	6.2	6.5	6.2	6.1	5.9	5.5	5.8	5.8
Reentrants.....	22.3	23.4	21.1	22.2	24.0	22.9	23.5	24.8	23.2	22.7	23.4	23.0	23.4	23.8	22.8
New entrants.....	7.3	8.2	8.7	8.2	8.1	8.1	7.9	8.0	8.1	8.0	8.2	8.5	8.1	8.7	8.4
<b>Percent of civilian labor force</b>															
Job losers <sup>1</sup> .....	5.9	6.0	6.3	6.3	6.1	6.2	6.1	6.0	6.0	5.9	5.9	6.0	6.0	5.9	6.2
Job leavers.....	.6	.6	.6	.6	.6	.6	.6	.6	.6	.6	.6	.6	.6	.5	.6
Reentrants.....	2.1	2.3	2.1	2.2	2.3	2.2	2.3	2.4	2.2	2.1	2.2	2.2	2.2	2.3	2.2
New entrants.....	.7	.8	.9	.8	.8	.8	.8	.8	.8	.7	.8	.8	.8	.8	.8

<sup>1</sup> Includes persons who completed temporary jobs.

NOTE: Beginning in January 2003, data reflect revised population controls used in the household survey.

**9. Unemployment rates by sex and age, monthly data seasonally adjusted**

[Civilian workers]

Sex and age	Annual average		2009		2010										
	2009	2010	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.
Total, 16 years and older.....	9.3	9.6	9.9	9.9	9.7	9.7	9.7	9.8	9.6	9.5	9.5	9.6	9.6	9.7	9.8
16 to 24 years.....	17.6	18.4	19.1	18.9	18.7	18.5	18.7	19.5	18.0	18.2	18.5	18.1	17.9	18.6	18.3
16 to 19 years.....	24.3	25.9	26.9	26.8	26.2	25.0	26.0	25.4	26.4	25.8	26.1	26.2	26.0	27.1	24.5
16 to 17 years.....	25.9	29.1	29.0	29.8	28.1	28.5	29.8	29.2	29.8	29.3	30.4	31.2	30.0	30.3	24.9
18 to 19 years.....	23.4	24.2	25.7	25.5	25.1	23.6	24.2	24.1	24.9	24.0	23.7	23.8	23.3	24.7	24.2
20 to 24 years.....	14.7	15.5	15.9	15.7	15.7	15.9	15.7	17.1	14.6	15.3	15.6	14.9	14.9	15.3	15.9
25 years and older.....	7.9	8.2	8.4	8.5	8.2	8.3	8.3	8.3	8.3	8.2	8.1	8.3	8.3	8.2	8.4
25 to 54 years.....	8.3	8.6	8.8	8.9	8.6	8.6	8.7	8.6	8.7	8.5	8.4	8.6	8.7	8.5	8.7
55 years and older.....	6.6	7.0	7.0	7.2	6.8	7.1	6.9	7.0	7.1	6.9	6.9	7.3	7.2	7.2	7.2
Men, 16 years and older.....	10.3	10.5	11.1	10.9	10.8	10.7	10.7	10.7	10.4	10.5	10.4	10.5	10.4	10.4	10.5
16 to 24 years.....	20.1	20.8	21.8	22.0	22.1	21.1	21.4	22.4	19.4	20.9	21.1	20.6	20.3	20.1	20.5
16 to 19 years.....	27.8	28.8	30.7	30.7	30.2	27.7	29.5	29.2	28.2	29.2	29.0	29.5	29.3	29.4	26.6
16 to 17 years.....	28.7	31.8	30.8	33.1	31.1	30.7	31.1	32.3	32.4	33.0	32.4	32.8	33.3	33.8	28.5
18 to 19 years.....	27.4	27.4	30.4	29.7	29.9	27.3	28.8	27.7	26.4	27.3	26.7	27.8	26.2	26.8	25.5
20 to 24 years.....	17.0	17.8	18.3	18.6	18.9	18.5	18.2	19.8	16.1	17.8	18.2	17.3	17.1	16.5	18.1
25 years and older.....	8.8	8.9	9.4	9.3	9.0	9.1	9.0	8.9	9.0	9.0	8.8	9.1	9.0	8.9	9.0
25 to 54 years.....	9.2	9.3	9.9	9.7	9.4	9.5	9.5	9.3	9.4	9.4	9.1	9.2	9.3	9.1	9.3
55 years and older.....	7.0	7.7	7.7	7.8	7.6	7.8	7.4	7.5	7.6	7.6	7.8	8.5	7.9	8.3	8.0
Women, 16 years and older.....	8.1	8.6	8.5	8.8	8.4	8.6	8.6	8.7	8.8	8.3	8.5	8.6	8.6	8.8	8.9
16 to 24 years.....	14.9	15.8	16.2	15.6	15.1	15.8	15.7	16.3	16.4	15.3	15.7	15.4	15.4	17.0	15.9
16 to 19 years.....	20.7	22.8	23.0	22.9	21.9	22.2	22.4	21.5	24.7	22.2	23.2	22.9	22.8	24.8	22.3
16 to 17 years.....	23.1	26.5	27.2	26.6	25.1	26.4	28.5	26.1	27.3	25.8	28.4	29.6	26.8	27.0	21.2
18 to 19 years.....	19.4	20.9	20.7	21.0	20.1	19.7	19.4	20.2	23.3	20.5	20.6	19.7	20.4	22.6	22.8
20 to 24 years.....	12.3	13.0	13.3	12.5	12.3	13.1	13.0	14.2	13.0	12.5	12.7	12.3	12.4	13.9	13.5
25 years and older.....	6.9	7.4	7.2	7.6	7.3	7.4	7.5	7.5	7.6	7.2	7.3	7.4	7.4	7.5	7.7
25 to 54 years.....	7.2	7.8	7.5	8.1	7.7	7.7	7.9	7.9	7.8	7.5	7.7	7.8	7.9	7.9	8.1
55 years and older <sup>1</sup> .....	6.0	6.2	6.2	5.8	6.1	6.5	6.0	5.7	5.9	6.5	6.9	6.9	6.4	5.9	6.2

<sup>1</sup> Data are not seasonally adjusted.

NOTE: Beginning in January 2003, data reflect revised population controls used in the household survey.

### 10. Unemployment rates by State, seasonally adjusted

State	Oct. 2009	Sept. 2010 <sup>P</sup>	Oct. 2010 <sup>P</sup>	State	Oct. 2009	Sept. 2010 <sup>P</sup>	Oct. 2010 <sup>P</sup>
Alabama.....	10.8	8.9	8.9	Missouri.....	9.7	9.3	9.4
Alaska.....	8.4	7.7	7.9	Montana.....	6.6	7.4	7.3
Arizona.....	9.3	9.7	9.5	Nebraska.....	4.7	4.6	4.7
Arkansas.....	7.5	7.7	7.8	Nevada.....	12.9	14.4	14.2
California.....	12.2	12.4	12.4	New Hampshire.....	6.8	5.5	5.4
Colorado.....	7.5	8.2	8.4	New Jersey.....	9.9	9.4	9.2
Connecticut.....	8.7	9.1	9.1	New Mexico.....	8.0	8.2	8.4
Delaware.....	8.5	8.3	8.3	New York.....	8.9	8.3	8.2
District of Columbia.....	11.4	9.8	9.7	North Carolina.....	10.9	9.7	9.6
Florida.....	11.4	11.9	11.9	North Dakota.....	4.3	3.7	3.8
Georgia.....	10.2	9.9	9.8	Ohio.....	10.8	10.0	9.9
Hawaii.....	6.9	6.4	6.4	Oklahoma.....	6.9	6.9	6.9
Idaho.....	8.8	9.0	9.1	Oregon.....	10.9	10.5	10.5
Illinois.....	10.9	9.9	9.8	Pennsylvania.....	8.6	9.0	8.8
Indiana.....	9.9	10.1	9.9	Rhode Island.....	12.3	11.5	11.4
Iowa.....	6.5	6.7	6.7	South Carolina.....	12.2	11.0	10.7
Kansas.....	6.8	6.6	6.7	South Dakota.....	4.7	4.4	4.4
Kentucky.....	10.7	10.1	10.0	Tennessee.....	10.8	9.4	9.4
Louisiana.....	7.3	7.8	8.1	Texas.....	8.1	8.1	8.1
Maine.....	8.1	7.7	7.4	Utah.....	6.7	7.5	7.6
Maryland.....	7.3	7.4	7.4	Vermont.....	6.7	5.8	5.7
Massachusetts.....	9.1	8.4	8.1	Virginia.....	6.8	6.8	6.8
Michigan.....	14.4	13.0	12.8	Washington.....	9.2	9.1	9.2
Minnesota.....	7.7	7.0	7.1	West Virginia.....	8.8	9.1	9.3
Mississippi.....	10.2	9.8	9.7	Wisconsin.....	8.7	7.8	7.8
				Wyoming.....	7.4	6.8	6.7

<sup>P</sup> = preliminary

### 11. Employment of workers on nonfarm payrolls by State, seasonally adjusted

State	Oct. 2009	Sept. 2010 <sup>P</sup>	Oct. 2010 <sup>P</sup>	State	Oct. 2009	Sept. 2010 <sup>P</sup>	Oct. 2010 <sup>P</sup>
Alabama.....	2,078,329	2,116,041	2,126,055	Missouri.....	3,016,893	2,986,013	2,991,597
Alaska.....	361,992	362,839	362,848	Montana.....	497,432	496,753	495,577
Arizona.....	3,138,602	3,184,833	3,183,256	Nebraska.....	981,146	973,852	971,355
Arkansas.....	1,372,191	1,340,139	1,344,566	Nevada.....	1,374,522	1,345,677	1,335,462
California.....	18,154,855	18,243,523	18,228,104	New Hampshire.....	741,667	743,334	745,510
Colorado.....	2,663,373	2,661,096	2,659,312	New Jersey.....	4,532,336	4,501,934	4,494,746
Connecticut.....	1,891,363	1,887,678	1,893,107	New Mexico.....	957,546	955,485	957,186
Delaware.....	430,079	422,234	422,191	New York.....	9,666,684	9,668,201	9,668,673
District of Columbia.....	332,080	331,038	330,880	North Carolina.....	4,521,453	4,480,643	4,469,691
Florida.....	9,202,354	9,244,061	9,234,416	North Dakota.....	364,040	368,133	367,672
Georgia.....	4,724,027	4,665,021	4,658,894	Ohio.....	5,928,301	5,920,082	5,911,706
Hawaii.....	635,077	634,592	632,794	Oklahoma.....	1,777,114	1,756,867	1,754,388
Idaho.....	750,428	756,377	755,944	Oregon.....	1,944,151	1,969,403	1,976,065
Illinois.....	6,596,924	6,636,991	6,641,139	Pennsylvania.....	6,391,373	6,364,974	6,366,742
Indiana.....	3,128,771	3,120,354	3,116,196	Rhode Island.....	571,604	570,985	571,506
Iowa.....	1,676,125	1,674,347	1,673,442	South Carolina.....	2,174,075	2,152,822	2,152,729
Kansas.....	1,519,709	1,492,225	1,494,342	South Dakota.....	445,612	443,117	443,090
Kentucky.....	2,074,191	2,077,480	2,083,608	Tennessee.....	2,999,429	3,047,916	3,057,800
Louisiana.....	2,067,365	2,109,275	2,113,175	Texas.....	12,012,997	12,139,139	12,141,477
Maine.....	703,796	693,954	694,568	Utah.....	1,350,893	1,353,756	1,354,991
Maryland.....	2,965,796	2,954,805	2,963,266	Vermont.....	358,331	356,075	356,598
Massachusetts.....	3,471,893	3,477,026	3,480,049	Virginia.....	4,153,686	4,170,705	4,173,595
Michigan.....	4,855,043	4,826,432	4,818,365	Washington.....	3,518,901	3,540,211	3,544,193
Minnesota.....	2,962,775	2,957,148	2,954,794	West Virginia.....	791,084	775,906	777,634
Mississippi.....	1,289,467	1,302,666	1,308,474	Wisconsin.....	3,046,225	3,031,807	3,033,333
				Wyoming.....	293,543	291,675	292,142

NOTE: Some data in this table may differ from data published elsewhere because of the continual updating of the database.

<sup>P</sup> = preliminary









13. Average weekly hours of production or nonsupervisory workers<sup>1</sup> on private nonfarm payrolls, by industry, monthly data seasonally adjusted

Industry	Annual average		2009		2010										
	2009	2010	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct. <sup>p</sup>	Nov. <sup>p</sup>
<b>TOTAL PRIVATE.....</b>	33.1	33.4	33.2	33.2	33.3	33.2	33.3	33.4	33.5	33.4	33.4	33.5	33.5	33.6	33.5
<b>GOODS-PRODUCING.....</b>	39.2	40.4	39.7	39.6	40.0	39.4	40.1	40.5	40.5	40.2	40.3	40.5	40.7	40.6	40.5
<b>Natural resources and mining.....</b>	43.3	44.6	43.0	43.4	44.2	43.6	44.2	44.7	45.4	44.8	44.8	45.5	44.6	44.5	44.6
<b>Construction.....</b>	37.6	38.4	37.8	37.5	37.9	37.0	37.8	38.7	38.1	38.2	38.2	38.6	39.0	38.8	38.6
<b>Manufacturing.....</b>	39.8	41.1	40.5	40.5	40.9	40.5	41.0	41.2	41.5	41.0	41.1	41.1	41.2	41.2	41.2
Overtime hours.....	2.9	3.8	3.4	3.4	3.6	3.5	3.7	3.8	3.9	3.9	3.8	3.8	3.9	3.9	4.0
Durable goods.....	39.9	41.3	40.6	40.6	40.9	40.6	41.2	41.4	41.7	41.3	41.4	41.3	41.4	41.4	41.5
Overtime hours.....	2.7	3.8	3.2	3.3	3.5	3.4	3.7	3.8	3.9	3.9	3.9	3.8	3.9	3.9	4.0
Wood products.....	37.4	39.1	38.2	38.2	39.2	38.3	39.4	39.7	40.0	38.8	38.4	38.5	39.3	39.2	39.9
Nonmetallic mineral products.....	40.9	41.6	41.9	40.2	41.4	40.0	41.3	41.7	41.7	41.5	41.5	41.6	41.7	42.0	41.8
Primary metals.....	40.7	43.6	42.4	42.7	42.9	42.9	43.2	43.9	44.2	43.6	43.6	43.6	43.8	44.0	43.9
Fabricated metal products.....	39.4	41.4	39.9	40.1	40.5	40.4	41.0	41.2	41.7	41.4	41.6	41.6	41.7	41.4	41.8
Machinery.....	40.1	42.0	40.6	41.0	41.2	41.0	41.7	41.8	42.2	42.1	42.2	42.3	42.5	42.5	42.5
Computer and electronic products.....	40.4	40.9	41.0	40.8	41.1	41.0	41.2	41.1	41.2	40.7	41.1	41.1	40.9	40.8	40.1
Electrical equipment and appliances.....	39.3	41.3	40.0	40.5	40.8	39.7	41.2	41.5	41.3	41.7	41.4	41.7	41.0	41.6	41.7
Transportation equipment.....	41.2	42.8	42.4	42.5	42.5	42.4	42.9	42.9	43.2	42.8	42.9	42.6	42.7	42.8	42.8
Furniture and related products.....	37.7	38.3	37.9	37.8	37.8	37.5	38.5	38.7	38.7	38.1	38.2	38.2	38.5	38.5	38.8
Miscellaneous manufacturing.....	38.5	38.7	39.3	38.9	38.8	38.7	38.8	38.8	39.4	38.7	38.8	38.3	38.5	38.4	38.5
Nonurable goods.....	39.8	40.8	40.3	40.4	40.8	40.2	40.8	40.9	41.1	40.5	40.7	40.9	41.0	40.9	40.8
Overtime hours.....	3.2	3.8	3.6	3.6	3.7	3.6	3.7	3.9	4.0	3.8	3.7	3.9	3.9	4.0	3.9
Food manufacturing.....	40.0	40.8	40.5	40.5	40.9	40.4	40.8	40.8	40.9	40.5	40.7	40.8	41.2	40.8	40.7
Beverage and tobacco products.....	35.7	37.5	34.6	34.7	35.4	35.0	36.0	35.5	38.2	36.4	38.0	39.0	38.4	39.7	38.2
Textile mills.....	37.7	41.1	40.1	39.4	40.5	39.7	41.3	42.4	42.5	41.1	41.6	41.7	41.5	40.5	40.3
Textile product mills.....	37.9	38.9	37.6	38.9	39.8	39.2	39.5	39.2	39.1	37.8	38.3	38.0	39.0	39.3	39.2
Apparel.....	36.0	36.6	36.3	36.2	36.7	36.1	36.2	36.4	35.9	36.3	35.9	36.9	36.4	37.1	36.9
Leather and allied products.....	33.6	39.1	35.6	36.2	38.3	37.9	38.3	38.6	38.6	38.9	39.4	39.7	39.9	39.3	39.8
Paper and paper products.....	41.8	42.9	42.4	42.1	42.9	42.1	42.7	42.8	43.2	42.5	42.8	42.9	43.0	43.0	43.0
Printing and related support activities.....	38.0	38.2	38.3	38.2	38.2	38.0	38.1	38.6	38.8	38.5	38.4	38.5	38.5	38.2	38.0
Petroleum and coal products.....	43.4	43.2	41.7	42.7	42.4	42.0	43.1	43.9	43.5	42.5	42.5	43.3	43.3	44.2	44.0
Chemicals.....	41.4	42.1	42.1	42.7	42.8	41.8	42.2	42.1	42.3	41.5	41.7	42.2	42.1	42.2	42.3
Plastics and rubber products.....	40.2	41.9	41.0	41.4	41.5	41.4	42.2	42.6	42.8	42.0	41.7	41.7	41.7	41.7	41.9
<b>PRIVATE SERVICE-PROVIDING.....</b>	32.1	32.2	32.1	32.1	32.2	32.1	32.2	32.2	32.3	32.2	32.3	32.3	32.3	32.4	32.3
<b>Trade, transportation, and utilities.....</b>	32.9	33.3	33.0	32.9	33.1	33.0	33.1	33.2	33.3	33.3	33.5	33.5	33.4	33.5	33.5
Wholesale trade.....	37.6	37.9	37.6	37.6	37.7	37.7	37.8	37.9	38.0	37.8	38.0	38.1	38.2	38.2	38.2
Retail trade.....	29.9	30.2	30.0	30.0	30.1	30.0	30.1	30.1	30.2	30.1	30.4	30.3	30.1	30.3	30.2
Transportation and warehousing.....	36.0	37.2	36.4	36.2	36.4	36.2	36.8	37.1	37.1	37.4	37.5	37.5	37.6	37.6	37.8
Utilities.....	42.1	42.2	41.6	41.4	41.4	41.6	41.6	41.8	42.2	42.2	42.2	42.3	42.2	42.9	42.7
<b>Information.....</b>	36.6	36.4	36.7	36.5	36.6	36.5	36.5	36.5	36.6	36.6	36.3	36.4	36.2	36.4	36.4
<b>Financial activities.....</b>	36.1	36.1	36.1	35.9	36.1	36.0	36.1	36.2	36.2	36.3	36.1	36.4	36.3	36.3	36.1
<b>Professional and business services.....</b>	34.7	35.1	34.8	34.8	34.9	34.8	35.0	35.0	35.1	35.0	35.1	35.1	35.2	35.3	35.2
<b>Education and health services.....</b>	32.3	32.2	32.2	32.3	32.3	32.2	32.1	32.2	32.2	32.2	32.1	32.2	32.2	32.3	32.2
<b>Leisure and hospitality.....</b>	24.8	24.8	24.9	24.8	24.8	24.8	25.0	24.9	24.8	24.7	24.8	24.8	24.7	24.9	24.9
<b>Other services.....</b>	30.5	30.8	30.5	30.5	30.7	30.6	30.8	30.8	30.9	30.7	30.9	30.9	30.9	30.9	30.8

<sup>1</sup> Data relate to production workers in natural resources and mining and manufacturing, construction workers in construction, and nonsupervisory workers in the service-providing industries.

NOTE: See "Notes on the data" for a description of the most recent benchmark revision.  
p = preliminary.

**14. Average hourly earnings of production or nonsupervisory workers<sup>1</sup> on private nonfarm payrolls, by industry, monthly data seasonally adjusted**

Industry	Annual average		2009		2010										
	2009	2010	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct. <sup>P</sup>	Nov. <sup>I</sup>
<b>TOTAL PRIVATE</b>															
Current dollars.....	\$18.62	\$19.04	\$18.80	\$18.85	\$18.90	\$18.92	\$18.90	\$18.95	\$19.00	\$19.02	\$19.04	\$19.09	\$19.11	\$19.18	\$19.1
Constant (1982) dollars.....	8.88	—	8.85	8.85	8.85	8.86	8.84	8.88	8.93	8.95	8.93	8.92	8.92	8.92	8.9
<b>GOODS-PRODUCING.....</b>	19.90	20.27	20.02	20.04	20.10	20.14	20.16	20.17	20.21	20.22	20.25	20.31	20.34	20.40	20.4
<b>Natural resources and mining.....</b>	23.29	23.83	23.28	23.47	23.29	23.71	23.87	23.83	23.81	23.91	23.98	23.86	24.11	23.85	23.9
<b>Construction.....</b>	22.67	23.26	22.89	22.95	23.08	23.13	23.12	23.09	23.12	23.17	23.21	23.28	23.24	23.42	23.5
<b>Manufacturing.....</b>	18.23	18.57	18.38	18.38	18.42	18.47	18.47	18.48	18.56	18.54	18.57	18.59	18.64	18.66	18.6
Excluding overtime.....	17.58	17.74	17.64	17.64	17.64	17.70	17.67	17.67	17.73	17.70	17.75	17.77	17.80	17.82	17.8
Durable goods.....	19.35	19.75	19.55	19.57	19.63	19.69	19.65	19.66	19.73	19.70	19.71	19.73	19.81	19.83	19.8
Nondurable goods.....	16.56	16.77	16.66	16.64	16.64	16.66	16.71	16.72	16.80	16.78	16.82	16.87	16.86	16.86	16.8
<b>PRIVATE SERVICE-PRIVATE SERVICE-PROVIDING.....</b>	18.35	18.78	18.54	18.60	18.64	18.66	18.64	18.69	18.74	18.76	18.79	18.83	18.84	18.93	18.9
<b>Trade, transportation, and utilities.....</b>	16.50	16.87	16.65	16.73	16.78	16.78	16.77	16.83	16.87	16.85	16.85	16.88	16.96	17.03	17.0
Wholesale trade.....	20.85	21.54	21.16	21.35	21.49	21.42	21.37	21.48	21.49	21.51	21.56	21.56	21.66	21.84	21.7
Retail trade.....	13.02	13.26	13.12	13.16	13.18	13.20	13.18	13.22	13.22	13.23	13.24	13.26	13.32	13.37	13.3
Transportation and warehousing.....	18.80	19.18	18.94	19.00	19.14	19.10	19.16	19.18	19.31	19.15	19.15	19.20	19.19	19.23	19.1
Utilities.....	29.56	30.35	29.92	29.91	29.79	29.88	29.93	30.04	30.42	30.31	30.42	30.50	30.63	30.76	30.7
<b>Information.....</b>	25.45	25.87	25.68	25.64	25.58	25.63	25.65	25.62	25.77	25.75	26.03	25.89	26.00	26.20	26.1
<b>Financial activities.....</b>	20.83	21.44	21.07	21.11	21.37	21.27	21.34	21.36	21.36	21.39	21.45	21.48	21.40	21.61	21.6
<b>Professional and business services.....</b>	22.35	22.80	22.50	22.58	22.62	22.66	22.63	22.67	22.77	22.79	22.85	22.92	22.93	22.98	22.9
<b>Education and health services.....</b>	19.49	20.00	19.73	19.76	19.76	19.83	19.80	19.88	19.92	19.97	20.02	20.08	20.09	20.19	20.1
<b>Leisure and hospitality.....</b>	11.11	11.31	11.28	11.27	11.28	11.30	11.31	11.31	11.34	11.34	11.31	11.34	11.26	11.30	11.3
<b>Other services.....</b>	16.59	16.85	16.81	16.85	16.85	16.87	16.79	16.81	16.81	16.89	16.84	16.82	16.86	16.91	16.9

<sup>1</sup> Data relate to production workers in natural resources and mining and manufacturing, construction workers in construction, and nonsupervisory workers in the service-providing industries.

NOTE: See "Notes on the data" for a description of the most recent benchmark revision. p = preliminary.

15. Average hourly earnings of production or nonsupervisory workers<sup>1</sup> on private nonfarm payrolls, by industry

Industry	Annual average		2009		2010										
	2009	2010	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct. <sup>P</sup>	Nov. <sup>P</sup>
<b>TOTAL PRIVATE</b> .....	\$18.62	\$19.04	\$18.88	\$18.85	\$18.98	\$18.98	\$18.91	\$18.97	\$19.02	\$18.89	\$18.94	\$19.03	\$19.11	\$19.21	\$19.19
Seasonally adjusted.....	—	—	18.80	18.85	18.90	18.92	18.90	18.95	19.00	19.02	19.04	19.09	19.11	19.18	19.19
<b>GOODS-PRODUCING</b> .....	19.90	20.27	20.06	20.08	20.02	20.00	20.05	20.13	20.18	20.19	20.32	20.38	20.44	20.51	20.47
<b>Natural resources and mining</b> .....	23.29	23.83	23.27	23.73	23.43	23.74	24.10	23.96	23.63	23.59	23.80	23.72	24.08	23.76	23.89
<b>Construction</b> .....	22.67	23.26	22.94	23.03	23.00	23.03	23.04	22.99	23.05	23.03	23.26	23.39	23.36	23.57	23.57
<b>Manufacturing</b> .....	18.23	18.57	18.39	18.46	18.47	18.47	18.44	18.49	18.54	18.51	18.53	18.54	18.71	18.67	18.67
Durable goods.....	19.35	19.75	19.56	19.67	19.64	19.70	19.63	19.65	19.70	19.65	19.68	19.69	19.89	19.85	19.88
Wood products.....	14.93	14.87	15.18	15.16	14.97	14.79	14.80	14.89	14.91	14.83	14.86	14.86	14.93	14.78	14.87
Nonmetallic mineral products.....	17.28	17.47	17.45	17.25	17.28	17.21	17.30	17.53	17.49	17.56	17.53	17.54	17.55	17.48	17.58
Primary metals.....	20.08	20.02	20.29	20.19	20.06	20.08	20.11	20.11	20.03	19.92	20.09	19.78	20.14	20.03	19.88
Fabricated metal products.....	17.49	17.94	17.66	17.87	17.79	17.84	17.92	17.95	17.89	17.91	17.92	17.91	17.99	18.03	17.99
Machinery.....	18.38	18.94	18.70	18.76	18.81	18.71	18.56	18.78	18.86	19.02	19.05	19.00	19.02	19.09	19.14
Computer and electronic products.....	21.88	22.77	22.40	22.42	22.52	22.87	22.45	22.59	22.91	22.56	22.78	22.95	22.89	22.76	23.01
Electrical equipment and appliances.....	16.27	16.84	16.55	16.65	16.76	16.69	16.72	16.60	16.63	16.69	16.81	16.78	16.93	17.15	16.99
Transportation equipment.....	24.93	25.08	24.82	24.96	24.89	24.85	24.94	24.90	24.94	24.91	24.96	24.87	25.48	25.33	25.38
Furniture and related products.....	15.04	15.04	14.98	15.05	15.04	14.95	14.89	14.96	15.07	14.98	14.96	15.07	15.25	15.09	15.04
Miscellaneous manufacturing.....	16.13	16.53	16.27	16.30	16.22	16.45	16.38	16.40	16.43	16.46	16.48	16.60	16.62	16.76	16.77
Nondurable goods.....	16.56	16.77	16.67	16.67	16.72	16.63	16.65	16.72	16.79	16.76	16.78	16.81	16.93	16.87	16.81
Food manufacturing.....	14.40	14.41	14.49	14.46	14.41	14.30	14.35	14.38	14.41	14.45	14.42	14.35	14.44	14.44	14.45
Beverages and tobacco products.....	20.49	21.79	21.34	21.71	22.12	21.99	22.13	22.29	22.45	22.20	21.41	21.85	21.69	20.88	21.34
Textile mills.....	13.71	13.56	13.62	13.64	13.50	13.57	13.50	13.42	13.34	13.48	13.65	13.69	13.79	13.50	13.59
Textile product mills.....	11.44	11.78	11.61	11.72	11.95	11.67	11.61	11.77	11.93	11.66	11.83	11.71	11.76	11.77	11.92
Apparel.....	11.37	11.45	11.35	11.55	11.28	11.36	11.32	11.30	11.42	11.46	11.37	11.61	11.64	11.69	
Leather and allied products.....	13.90	13.00	13.93	13.49	13.56	13.37	13.19	13.24	12.90	13.12	12.74	12.58	12.69	12.84	13.22
Paper and paper products.....	19.28	19.99	19.43	19.55	19.60	19.55	19.78	20.26	20.22	20.16	20.22	20.03	20.28	19.98	19.79
Printing and related support activities.....	16.75	16.92	16.88	16.93	17.01	17.08	17.04	16.76	16.86	16.71	16.69	16.76	17.07	17.06	16.94
Petroleum and coal products.....	29.63	31.43	30.61	30.81	31.49	31.30	31.56	31.49	31.45	30.65	30.68	31.51	31.53	31.57	31.58
Chemicals.....	20.30	21.08	20.61	20.68	20.62	20.61	20.55	20.72	20.93	21.05	21.05	21.70	21.81	21.54	21.26
Plastics and rubber products.....	16.01	15.68	15.83	15.72	15.90	15.68	15.65	15.60	15.64	15.60	15.80	15.59	15.67	15.69	15.68
<b>PRIVATE SERVICE-PROVIDING</b> .....	18.35	18.78	18.63	18.59	18.76	18.78	18.68	18.73	18.77	18.60	18.64	18.73	18.82	18.92	18.92
<b>Trade, transportation, and utilities</b> .....	16.50	16.87	16.63	16.57	16.83	16.85	16.76	16.87	16.89	16.79	16.80	16.88	17.00	17.04	16.94
Wholesale trade.....	20.85	21.54	21.25	21.40	21.55	21.46	21.26	21.47	21.47	21.35	21.49	21.50	21.60	21.79	21.74
Retail trade.....	13.02	13.26	13.05	12.99	13.20	13.23	13.18	13.27	13.25	13.21	13.23	13.27	13.41	13.38	13.30
Transportation and warehousing.....	18.80	19.18	18.97	18.98	19.14	19.15	19.13	19.15	19.26	19.13	19.16	19.27	19.19	19.24	19.15
Utilities.....	29.56	30.35	29.97	30.09	29.80	29.91	30.02	30.15	30.47	30.16	30.19	30.30	30.70	30.88	30.90
<b>Information</b> .....	25.45	25.87	25.76	25.50	25.60	25.59	25.52	25.55	25.93	25.56	25.97	25.95	26.10	26.37	26.20
<b>Financial activities</b> .....	20.83	21.44	21.19	21.08	21.35	21.27	21.35	21.39	21.51	21.26	21.35	21.53	21.38	21.60	21.61
<b>Professional and business services</b> .....	22.35	22.80	22.69	22.63	22.76	22.87	22.66	22.68	22.91	22.55	22.68	22.90	22.78	22.82	22.90
<b>Education and health services</b> .....	19.49	20.00	19.72	19.79	19.83	19.83	19.80	19.90	19.87	19.90	20.07	20.03	20.13	20.21	20.17
<b>Leisure and hospitality</b> .....	11.11	11.31	11.34	11.41	11.34	11.39	11.33	11.31	11.33	11.25	11.19	11.22	11.25	11.32	11.36
<b>Other services</b> .....	16.59	16.85	16.80	16.85	16.86	16.90	16.87	16.83	16.89	16.83	16.70	16.73	16.86	16.87	16.92

1 Data relate to production workers in natural resources and mining and manufacturing, construction workers in construction, and nonsupervisory workers in the service-providing industries.



## 17. Diffusion indexes of employment change, seasonally adjusted

[In percent]

Timespan and year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Private nonfarm payrolls, 278 industries												
Over 1-month span:												
2006.....	65.1	66.9	66.0	61.0	49.6	53.0	56.5	54.3	52.0	52.4	55.8	58.2
2007.....	58.4	59.1	55.4	51.5	56.7	49.1	49.1	43.1	52.4	52.2	53.7	50.6
2008.....	48.9	48.9	51.1	44.1	38.8	33.3	35.1	32.3	27.3	30.7	22.3	18.2
2009.....	19.7	17.1	16.5	20.6	27.3	23.0	26.4	32.9	32.9	31.0	46.8	39.6
2010.....	48.9	57.4	60.4	68.0	56.1	53.7	57.2	58.7	54.5	60.4	52.0	
Over 3-month span:												
2006.....	67.7	67.8	69.0	69.5	62.5	60.6	55.0	57.4	52.6	49.3	54.8	58.0
2007.....	60.2	59.7	62.8	58.7	57.1	52.2	53.7	45.5	49.6	49.1	53.5	54.6
2008.....	56.3	48.1	48.5	46.3	39.6	33.1	31.6	29.0	27.1	26.8	20.8	18.8
2009.....	17.7	12.3	12.6	10.8	14.9	20.8	21.6	21.7	28.4	27.3	33.8	36.1
2010.....	42.4	40.9	57.6	63.4	63.2	61.2	55.6	58.0	59.5	61.5	58.0	
Over 6-month span:												
2006.....	64.1	65.1	66.7	67.3	66.9	69.1	62.5	60.8	58.2	57.2	58.2	55.2
2007.....	58.6	57.1	62.5	61.9	59.5	59.1	56.7	54.8	56.3	51.5	53.5	51.3
2008.....	49.1	50.6	51.7	49.6	43.9	39.2	36.1	31.6	28.1	26.4	23.0	21.4
2009.....	17.5	13.2	12.1	11.9	12.5	13.4	13.2	15.8	20.4	20.4	21.0	24.7
2010.....	31.6	31.8	41.8	52.4	55.4	61.9	62.1	63.9	64.3	60.8	60.0	
Over 12-month span:												
2006.....	67.7	66.0	66.4	63.4	65.6	67.3	64.9	64.5	66.7	65.8	65.1	66.0
2007.....	63.4	59.5	61.2	59.7	59.3	58.4	57.2	57.4	59.9	59.3	58.6	60.0
2008.....	54.8	56.5	53.0	47.4	48.1	44.2	41.1	39.8	36.4	33.1	29.0	26.8
2009.....	24.9	17.7	15.4	15.1	15.1	13.8	12.6	11.5	14.1	13.0	13.4	13.0
2010.....	14.5	16.5	23.4	27.3	35.5	40.0	46.3	49.6	53.2	58.9	58.6	
Manufacturing payrolls, 84 industries												
Over 1-month span:												
2006.....	59.1	56.1	55.5	50.0	39.6	51.8	48.8	40.9	34.1	39.0	36.0	41.5
2007.....	55.5	45.7	31.7	28.7	42.7	36.0	40.2	22.6	32.3	37.2	51.8	42.1
2008.....	40.9	39.6	45.1	37.2	42.7	23.2	21.3	21.3	16.5	20.1	12.8	4.9
2009.....	4.9	10.4	9.1	16.5	11.0	11.0	19.5	26.2	20.1	18.9	45.7	41.5
2010.....	42.7	67.1	60.4	67.1	65.9	48.8	52.4	46.3	52.4	49.4	45.7	
Over 3-month span:												
2006.....	54.9	58.5	54.9	54.3	48.8	53.7	43.9	41.5	33.5	28.0	29.3	27.4
2007.....	39.6	40.2	45.7	32.3	31.7	34.1	31.7	25.0	24.4	25.0	32.9	39.0
2008.....	48.2	36.6	35.4	38.4	39.6	30.5	20.1	9.8	14.0	17.1	13.4	6.1
2009.....	4.9	2.4	2.4	7.3	8.5	11.0	7.3	10.4	17.7	17.7	21.3	29.9
2010.....	37.2	42.7	55.5	62.8	67.1	64.6	55.5	50.6	53.0	50.6	48.2	
Over 6-month span:												
2006.....	43.3	47.6	48.2	51.2	53.0	52.4	47.0	48.8	43.9	39.6	34.1	29.9
2007.....	34.8	31.7	32.3	32.9	35.4	39.0	34.1	27.4	28.7	24.4	30.5	25.6
2008.....	27.4	29.9	42.1	38.4	38.4	31.7	26.2	20.1	13.4	12.2	13.4	12.2
2009.....	7.3	4.9	2.4	6.1	2.4	6.1	7.3	6.1	7.3	8.5	8.5	15.2
2010.....	24.4	26.2	33.5	50.6	56.7	57.3	61.0	62.8	59.1	50.6	48.2	
Over 12-month span:												
2006.....	44.5	41.5	41.5	40.2	40.2	45.7	42.7	43.3	47.6	48.8	46.3	43.9
2007.....	40.2	37.2	37.8	31.1	29.3	29.9	31.1	29.3	33.5	29.3	34.8	36.0
2008.....	28.0	29.3	26.2	25.6	31.1	26.8	23.2	19.5	24.4	20.1	16.5	14.6
2009.....	7.9	3.7	4.9	6.7	3.7	4.9	6.1	4.9	5.5	4.9	4.9	4.9
2010.....	6.1	6.1	7.3	12.8	25.0	34.8	41.5	43.9	48.2	54.3	51.8	

NOTE: Figures are the percent of industries with employment increasing plus one-half of the industries with unchanged employment, where 50 percent indicates an equal balance between industries with increasing and decreasing employment.

See the "Definitions" in this section. See "Notes on the data" for a description of the most recent benchmark revision.

Data for the two most recent months are preliminary.

18. Job openings levels and rates by industry and region, seasonally adjusted

Industry and region	Levels <sup>1</sup> (in thousands)							Percent							
	2010							2010							
	May	June	July	Aug.	Sept.	Oct.	Nov. <sup>P</sup>	May	June	July	Aug.	Sept.	Oct.	Nov. <sup>P</sup>	
Total <sup>2</sup> .....	2,939	2,864	3,141	3,092	3,011	3,328	3,248	2.2	2.1	2.4	2.3	2.3	2.5	2.4	
<b>Industry</b>															
Total private <sup>2</sup> .....	2,597	2,537	2,821	2,752	2,658	2,998	2,906	2.4	2.3	2.5	2.5	2.4	2.7	2.6	
Construction.....	79	53	101	65	71	79	91	1.4	0.9	1.8	1.1	1.2	1.4	1.6	
Manufacturing.....	205	226	238	190	203	209	227	1.7	1.9	2.0	1.6	1.7	1.8	1.9	
Trade, transportation, and utilities.....	452	449	485	449	472	481	462	1.8	1.8	1.9	1.8	1.9	1.9	1.8	
Professional and business services.....	601	514	564	590	559	680	701	3.5	3.0	3.3	3.4	3.2	3.9	4.0	
Education and health services.....	512	487	515	487	529	638	547	2.6	2.4	2.6	2.4	2.6	3.1	2.7	
Leisure and hospitality.....	288	317	365	381	307	321	310	2.2	2.4	2.7	2.8	2.3	2.4	2.3	
Government.....	342	327	320	341	354	330	342	1.5	1.4	1.4	1.5	1.6	1.5	1.5	
<b>Region<sup>3</sup></b>															
Northeast.....	657	631	639	666	565	678	612	2.6	2.5	2.5	2.6	2.2	2.7	2.4	
South.....	1,078	982	1,100	1,159	1,101	1,283	1,115	2.2	2.0	2.3	2.4	2.3	2.6	2.3	
Midwest.....	568	604	617	647	552	633	702	1.9	2.0	2.0	2.1	1.8	2.1	2.3	
West.....	689	632	696	730	665	821	793	2.3	2.1	2.4	2.5	2.3	2.8	2.7	

<sup>1</sup> Detail will not necessarily add to totals because of the independent seasonal adjustment of the various series.  
<sup>2</sup> Includes natural resources and mining, information, financial activities, and other services, not shown separately.  
<sup>3</sup> **Northeast:** Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont; **South:** Alabama, Arkansas, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia; **Midwest:** Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin; **West:** Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming.  
 NOTE: The job openings level is the number of job openings on the last business day of the month; the job openings rate is the number of job openings on the last business day of the month as a percent of total employment plus job openings.  
<sup>P</sup> = preliminary.

19. Hires levels and rates by industry and region, seasonally adjusted

Industry and region	Levels <sup>1</sup> (in thousands)							Percent							
	2010							2010							
	May	June	July	Aug.	Sept.	Oct.	Nov. <sup>P</sup>	May	June	July	Aug.	Sept.	Oct.	Nov. <sup>P</sup>	
Total <sup>2</sup> .....	4,581	4,250	4,275	4,156	4,208	4,249	4,210	3.5	3.3	3.3	3.2	3.2	3.3	3.2	
<b>Industry</b>															
Total private <sup>2</sup> .....	3,846	3,946	3,985	3,891	3,953	3,963	3,916	3.6	3.7	3.7	3.6	3.7	3.7	3.6	
Construction.....	321	289	361	357	336	370	346	5.7	5.2	6.4	6.4	6.0	6.6	6.2	
Manufacturing.....	266	267	297	274	260	271	283	2.3	2.3	2.5	2.3	2.2	2.3	2.4	
Trade, transportation, and utilities.....	819	876	864	798	863	838	852	3.3	3.5	3.5	3.2	3.5	3.4	3.4	
Professional and business services.....	805	825	810	831	818	804	757	4.8	4.9	4.8	5.0	4.9	4.8	4.5	
Education and health services.....	479	523	515	492	514	483	516	2.5	2.7	2.6	2.5	2.6	2.5	2.6	
Leisure and hospitality.....	678	691	712	688	714	686	664	5.2	5.3	5.4	5.2	5.4	5.2	5.0	
Government.....	735	304	289	264	254	287	293	3.2	1.3	1.3	1.2	1.1	1.3	1.3	
<b>Region<sup>3</sup></b>															
Northeast.....	844	718	731	702	787	756	716	3.4	2.9	3.0	2.8	3.2	3.1	2.9	
South.....	1,681	1,505	1,531	1,541	1,562	1,598	1,612	3.6	3.2	3.2	3.3	3.3	3.4	3.4	
Midwest.....	1,090	1,013	1,011	946	924	996	950	3.7	3.4	3.4	3.2	3.1	3.4	3.2	
West.....	1,014	923	923	870	950	944	914	3.5	3.2	3.2	3.0	3.3	3.3	3.2	

<sup>1</sup> Detail will not necessarily add to totals because of the independent seasonal adjustment of the various series.  
<sup>2</sup> Includes natural resources and mining, information, financial activities, and other services, not shown separately.  
<sup>3</sup> **Northeast:** Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont; **South:** Alabama, Arkansas, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia; **Midwest:** Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin; **West:** Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming.  
 NOTE: The hires level is the number of hires during the entire month; the hires rate is the number of hires during the entire month as a percent of total employment.  
<sup>P</sup> = preliminary.



**20. Total separations levels and rates by industry and region, seasonally adjusted**

Industry and region	Levels <sup>1</sup> (in thousands)							Percent							
	2010							2010							
	May	June	July	Aug.	Sept.	Oct.	Nov. <sup>P</sup>	May	June	July	Aug.	Sept.	Oct.	Nov. <sup>P</sup>	
Total <sup>2</sup> .....	4,146	4,436	4,390	4,210	4,139	4,084	4,118	3.2	3.4	3.4	3.2	3.2	3.1	3.2	
<b>Industry</b>															
Total private <sup>2</sup> .....	3,816	3,884	3,940	3,796	3,761	3,798	3,815	3.5	3.6	3.7	3.5	3.5	3.5	3.5	
Construction.....	340	314	361	321	334	348	362	6.1	5.6	6.5	5.7	5.9	6.2	6.5	
Manufacturing.....	238	260	271	279	261	279	308	2.0	2.2	2.3	2.4	2.2	2.4	2.6	
Trade, transportation, and utilities.....	800	874	855	814	813	802	807	3.2	3.5	3.5	3.3	3.3	3.2	3.3	
Professional and business services.....	806	777	830	808	774	795	683	4.8	4.7	5.0	4.8	4.6	4.7	4.1	
Education and health services.....	446	493	491	454	487	424	486	2.3	2.5	2.5	2.3	2.5	2.2	2.5	
Leisure and hospitality.....	707	668	701	663	675	694	663	5.4	5.1	5.3	5.0	5.1	5.3	5.0	
Government.....	331	552	450	414	378	286	303	1.4	2.4	2.0	1.8	1.7	1.3	1.4	
<b>Region<sup>3</sup></b>															
Northeast.....	734	748	775	731	707	748	765	3.0	3.0	3.1	3.0	2.9	3.0	3.1	
South.....	1,521	1,606	1,533	1,602	1,553	1,419	1,444	3.2	3.4	3.3	3.4	3.3	3.0	3.1	
Midwest.....	988	981	1,018	930	984	914	949	3.3	3.3	3.4	3.1	3.3	3.1	3.2	
West.....	920	928	929	889	910	868	873	3.2	3.2	3.2	3.1	3.2	3.0	3.0	

<sup>1</sup> Detail will not necessarily add to totals because of the independent seasonal adjustment of the various series.

<sup>2</sup> Includes natural resources and mining, information, financial activities, and other services, not shown separately.

<sup>3</sup> **Northeast:** Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont; **South:** Alabama, Arkansas, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia;

**Midwest:** Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin; **West:** Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming.

NOTE: The total separations level is the number of total separations during the entire month; the total separations rate is the number of total separations during the entire month as a percent of total employment.

<sup>P</sup>= preliminary

**21. Quits levels and rates by industry and region, seasonally adjusted**

Industry and region	Levels <sup>1</sup> (in thousands)							Percent							
	2010							2010							
	May	June	July	Aug.	Sept.	Oct.	Nov. <sup>P</sup>	May	June	July	Aug.	Sept.	Oct.	Nov. <sup>P</sup>	
Total <sup>2</sup> .....	1,929	1,951	1,974	1,998	1,983	1,997	1,953	1.5	1.5	1.5	1.5	1.5	1.5	1.5	
<b>Industry</b>															
Total private <sup>2</sup> .....	1,828	1,819	1,855	1,881	1,860	1,889	1,849	1.7	1.7	1.7	1.7	1.7	1.7	1.7	
Construction.....	64	67	72	81	85	81	65	1.1	1.2	1.3	1.4	1.5	1.4	1.2	
Manufacturing.....	96	105	97	107	95	108	112	.8	.9	.8	.9	.8	.9	1.0	
Trade, transportation, and utilities.....	438	443	451	425	452	417	427	1.8	1.8	1.8	1.7	1.8	1.7	1.7	
Professional and business services.....	330	325	357	385	350	411	359	2.0	1.9	2.1	2.3	2.1	2.4	2.1	
Education and health services.....	254	268	258	249	245	243	254	1.3	1.4	1.3	1.3	1.3	1.2	1.3	
Leisure and hospitality.....	428	373	401	407	394	412	386	3.3	2.8	3.1	3.1	3.0	3.1	2.9	
Government.....	101	131	119	117	124	108	103	.4	.6	.5	.5	.6	.5	.5	
<b>Region<sup>3</sup></b>															
Northeast.....	286	341	318	333	271	288	283	1.2	1.4	1.3	1.3	1.1	1.2	1.1	
South.....	736	796	749	791	804	777	781	1.6	1.7	1.6	1.7	1.7	1.6	1.7	
Midwest.....	496	438	475	452	410	481	457	1.7	1.5	1.6	1.5	1.4	1.6	1.5	
West.....	433	437	404	425	411	420	389	1.5	1.5	1.4	1.5	1.4	1.5	1.3	

<sup>1</sup> Detail will not necessarily add to totals because of the independent seasonal adjustment of the various series.

<sup>2</sup> Includes natural resources and mining, information, financial activities, and other services, not shown separately.

<sup>3</sup> **Northeast:** Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont; **South:** Alabama, Arkansas, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia;

**Midwest:** Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin; **West:** Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming.

NOTE: The quits level is the number of quits during the entire month; the quits rate is the number of quits during the entire month as a percent of total employment.

<sup>P</sup> = preliminary.

**22. Quarterly Census of Employment and Wages: 10 largest counties, first quarter 2010.**

County by NAICS supersector	Establishments, first quarter 2010 (thousands)	Employment		Average weekly wage <sup>1</sup>	
		March 2010 (thousands)	Percent change, March 2009-10 <sup>2</sup>	First quarter 2010	Percent change, first quarter 2009-10 <sup>2</sup>
United States <sup>3</sup> .....	9,043.6	126,281.7	-2.1	\$889	0.8
Private industry .....	8,746.4	104,193.4	-2.5	890	1.0
Natural resources and mining .....	125.9	1,615.4	-3.3	1,019	2.7
Construction .....	806.6	5,192.5	-12.4	894	-1.3
Manufacturing .....	345.6	11,343.0	-6.2	1,081	1.7
Trade, transportation, and utilities .....	1,875.7	23,997.7	-2.4	727	-.7
Information .....	144.0	2,707.0	-5.2	1,468	2.1
Financial activities .....	824.9	7,380.6	-3.4	1,711	7.2
Professional and business services .....	1,528.2	16,314.2	-1.2	1,153	2.0
Education and health services .....	880.9	18,587.8	1.7	770	-.8
Leisure and hospitality .....	740.1	12,534.9	-1.5	353	.6
Other services .....	1,267.8	4,296.4	-1.5	540	-.4
Government .....	297.2	22,088.3	-.1	883	-.2
Los Angeles, CA .....	431.4	3,863.3	-3.4	978	1.0
Private industry .....	425.9	3,280.3	-3.4	958	1.2
Natural resources and mining .....	.5	10.1	-5.0	1,635	10.3
Construction .....	13.1	104.6	-16.0	966	-.5
Manufacturing .....	13.6	373.5	-6.6	1,080	1.8
Trade, transportation, and utilities .....	51.6	720.9	-2.8	764	-1.0
Information .....	8.4	190.6	-2.9	1,805	2.0
Financial activities .....	22.5	208.0	-4.3	1,736	9.4
Professional and business services .....	41.2	524.0	-3.6	1,178	1.1
Education and health services .....	28.4	510.9	.7	859	-.8
Leisure and hospitality .....	26.7	374.8	-2.9	520	.6
Other services .....	205.5	248.6	-4.0	421	-.7
Government .....	5.5	583.0	-3.1	1,093	.3
Cook, IL .....	142.9	2,311.0	-2.9	1,083	-.1
Private industry .....	141.5	2,002.3	-3.1	1,088	-.5
Natural resources and mining .....	.1	.8	-7.1	840	5.7
Construction .....	12.1	58.6	-15.8	1,289	-1.1
Manufacturing .....	6.7	192.0	-6.4	1,028	1.5
Trade, transportation, and utilities .....	27.5	420.1	-3.5	777	-2.0
Information .....	2.6	51.1	-5.4	1,676	2.5
Financial activities .....	15.4	189.0	-4.5	2,465	2.2
Professional and business services .....	29.7	389.6	-2.8	1,417	.9
Education and health services .....	14.6	389.0	.6	815	-2.7
Leisure and hospitality .....	12.2	215.0	-1.3	402	-.5
Other services .....	15.2	92.3	-3.7	720	-1.5
Government .....	1.4	308.7	-1.3	1,045	2.2
New York, NY .....	118.3	2,255.5	-1.7	2,404	11.9
Private industry .....	118.0	1,806.6	-1.9	2,743	13.1
Natural resources and mining .....	.0	.1	-15.7	2,233	-.7
Construction .....	2.2	30.2	-13.2	1,532	3.7
Manufacturing .....	2.6	26.4	-10.5	1,503	9.9
Trade, transportation, and utilities .....	20.9	225.6	-2.2	1,175	3.8
Information .....	4.3	127.6	-4.5	2,504	2.4
Financial activities .....	18.7	341.6	-3.7	7,709	22.7
Professional and business services .....	24.7	446.9	-3.2	2,422	10.9
Education and health services .....	8.9	300.2	2.1	1,013	1.1
Leisure and hospitality .....	11.9	215.6	1.9	707	-1.9
Other services .....	18.2	85.6	-3.2	1,174	18.1
Government .....	.3	448.9	-.8	1,045	2.8
Harris, TX .....	99.5	1,970.8	-2.5	1,168	2.2
Private industry .....	98.9	1,704.4	-3.1	1,204	2.6
Natural resources and mining .....	1.6	71.7	-3.6	3,911	12.9
Construction .....	6.5	133.4	-10.4	1,039	-1.1
Manufacturing .....	4.5	167.1	-7.4	1,490	7.3
Trade, transportation, and utilities .....	22.5	410.7	-2.9	1,084	1.4
Information .....	1.3	28.7	-6.3	1,284	-2.1
Financial activities .....	10.5	112.0	-3.5	1,645	7.7
Professional and business services .....	19.8	310.1	-4.0	1,333	.2
Education and health services .....	10.9	233.9	4.4	841	-1.4
Leisure and hospitality .....	7.9	176.6	-1.6	381	1.9
Other services .....	13.0	59.0	.2	617	-2.5
Government .....	.5	266.3	2.0	937	.9
Maricopa, AZ .....	95.1	1,606.6	-3.8	848	-.8
Private industry .....	94.4	1,386.6	-4.0	854	.2
Natural resources and mining .....	.5	7.6	-11.6	971	13.7
Construction .....	9.1	80.2	-20.7	866	-1.8
Manufacturing .....	3.3	105.6	-9.1	1,272	3.3
Trade, transportation, and utilities .....	21.8	331.0	-3.0	796	.0
Information .....	1.5	27.0	-2.3	1,156	-2.4
Financial activities .....	11.4	133.2	-3.1	1,176	2.5
Professional and business services .....	21.6	258.1	-4.4	893	.0
Education and health services .....	10.2	224.7	3.7	862	-1.3
Leisure and hospitality .....	6.8	172.1	-3.6	403	1.3
Other services .....	6.8	46.1	-.8	549	-2.3
Government .....	.7	219.9	-2.7	811	-6.5

See footnotes at end of table.

22. Continued—Quarterly Census of Employment and Wages: 10 largest counties, first quarter 2010.

County by NAICS supersector	Establishments, first quarter 2010 (thousands)	Employment		Average weekly wage <sup>1</sup>	
		March 2010 (thousands)	Percent change, March 2009-10 <sup>2</sup>	First quarter 2010	Percent change, first quarter 2009-10 <sup>2</sup>
Dallas, TX .....	67.7	1,392.8	-1.9	\$1,093	0.7
Private industry .....	67.2	1,223.5	-2.3	1,113	.9
Natural resources and mining .....	.6	7.8	.6	3,466	14.2
Construction .....	4.2	66.6	-12.6	955	1.0
Manufacturing .....	3.0	113.2	-8.2	1,271	( <sup>4</sup> )
Trade, transportation, and utilities .....	14.8	276.3	-2.7	954	.1
Information .....	1.6	45.1	-3.9	1,852	1.2
Financial activities .....	8.5	135.6	( <sup>4</sup> )	1,729	( <sup>4</sup> )
Professional and business services .....	14.8	253.2	-6	1,228	-5
Education and health services .....	6.9	161.5	4.4	919	-4
Leisure and hospitality .....	5.5	125.3	-8	487	-2.2
Other services .....	7.0	38.0	.1	607	-2.7
Government .....	.5	169.3	.8	952	.1
Orange, CA .....	101.6	1,342.8	-4.2	1,001	1.2
Private industry .....	100.2	1,194.0	-4.2	976	1.1
Natural resources and mining .....	.2	5.0	-2.3	524	-6.9
Construction .....	6.5	66.4	-15.2	1,038	-3.3
Manufacturing .....	5.0	149.3	-7.3	1,209	5.9
Trade, transportation, and utilities .....	16.3	239.9	-3.7	896	-7
Information .....	1.3	25.1	-10.4	1,814	15.2
Financial activities .....	9.9	103.3	( <sup>4</sup> )	1,579	5.5
Professional and business services .....	18.5	235.4	( <sup>4</sup> )	1,132	.5
Education and health services .....	10.1	154.5	1.2	852	-1.4
Leisure and hospitality .....	7.0	162.4	-2.9	391	3.2
Other services .....	20.5	47.5	-1.2	502	-2.3
Government .....	1.4	148.8	-3.8	1,197	.8
San Diego, CA .....	98.5	1,229.8	-2.8	930	-6
Private industry .....	97.2	1,004.0	-3.3	912	-8
Natural resources and mining .....	.7	9.8	-2.5	530	-2.6
Construction .....	6.5	55.1	-14.3	982	.6
Manufacturing .....	3.0	92.6	-6.2	1,354	3.3
Trade, transportation, and utilities .....	13.7	192.9	-2.9	740	( <sup>4</sup> )
Information .....	1.2	25.3	-5.9	1,423	1.9
Financial activities .....	8.7	67.1	-4.0	1,233	-2.1
Professional and business services .....	15.9	204.0	-4.0	1,260	.2
Education and health services .....	8.3	146.2	1.5	844	-6
Leisure and hospitality .....	7.0	149.7	-1.6	381	-2.8
Other services .....	27.9	57.0	-1.2	479	.4
Government .....	1.3	225.8	-6	1,010	-7
King, WA .....	79.0	1,098.9	-3.1	1,120	-6
Private industry .....	78.5	941.8	-3.7	1,129	-5
Natural resources and mining .....	.4	2.8	2.9	1,491	-5.0
Construction .....	5.8	45.7	-19.4	1,112	-1.8
Manufacturing .....	2.3	96.9	-6.8	1,383	1.2
Trade, transportation, and utilities .....	14.4	199.1	-3.2	961	-4
Information .....	1.7	78.4	-3.2	2,136	.2
Financial activities .....	6.5	64.6	-7.5	1,542	-2.3
Professional and business services .....	13.5	170.1	-3.5	1,350	2.4
Education and health services .....	6.7	130.2	-2	857	-1
Leisure and hospitality .....	6.2	104.0	-1.4	434	2.6
Other services .....	21.0	50.0	8.3	574	-4.5
Government .....	.5	157.1	.6	1,066	-8
Miami-Dade, FL .....	84.8	947.4	-2.0	845	-1.3
Private industry .....	84.4	801.0	-1.9	819	.4
Natural resources and mining .....	.5	9.7	-5.7	379	-5.3
Construction .....	5.5	31.7	-17.1	831	-2.7
Manufacturing .....	2.6	34.6	-10.8	827	5.9
Trade, transportation, and utilities .....	23.6	234.6	-1.3	763	-3
Information .....	1.5	17.7	-4.7	1,370	3.3
Financial activities .....	9.2	60.6	-4.0	1,439	6.2
Professional and business services .....	17.7	122.9	-1.8	988	.3
Education and health services .....	9.6	148.2	2.1	792	-9
Leisure and hospitality .....	6.2	105.5	1.3	466	-1.7
Other services .....	7.6	34.8	-1.4	519	-1.9
Government .....	.4	146.4	-2.8	988	-7.9

<sup>1</sup> Average weekly wages were calculated using unrounded data.

<sup>2</sup> Percent changes were computed from quarterly employment and pay data adjusted for noneconomic county reclassifications. See Notes on Current Labor Statistics.

<sup>3</sup> Totals for the United States do not include data for Puerto Rico or the

Virgin Islands.

<sup>4</sup> Data do not meet BLS or State agency disclosure standards.

NOTE: Includes workers covered by Unemployment Insurance (UI) and Unemployment Compensation for Federal Employees (UCFE) programs. Data are preliminary.

**23. Quarterly Census of Employment and Wages: by State, first quarter 2010.**

State	Establishments, first quarter 2010 (thousands)	Employment		Average weekly wage <sup>1</sup>	
		March 2010 (thousands)	Percent change, March 2009-10	First quarter 2010	Percent change, first quarter 2009-10
United States <sup>2</sup> .....	9,043.6	126,281.7	-2.1	\$889	0.8
Alabama .....	117.0	1,803.7	-2.1	737	.0
Alaska .....	21.2	304.4	.2	878	-9
Arizona .....	148.9	2,373.3	-3.5	800	-9
Arkansas .....	86.0	1,133.6	-1.0	674	-2.9
California .....	1,367.1	14,280.4	-3.0	1,003	.9
Colorado .....	171.7	2,151.3	-2.7	912	-1
Connecticut .....	111.6	1,566.7	-3.2	1,206	1.3
Delaware .....	28.5	388.4	-2.9	971	-5
District of Columbia .....	34.3	685.2	1.2	1,505	2.8
Florida .....	595.5	7,162.0	-2.6	766	-5
Georgia .....	269.0	3,728.2	-2.6	837	.6
Hawaii .....	39.3	585.6	-2.4	767	-9
Idaho .....	55.3	591.8	-1.6	634	-6
Illinois .....	376.9	5,406.6	-2.6	946	-4
Indiana .....	160.2	2,666.1	-1.3	739	.0
Iowa .....	94.0	1,410.0	-1.6	707	-1
Kansas .....	87.8	1,286.4	-2.9	718	-1
Kentucky .....	109.2	1,690.8	-1.1	712	.0
Louisiana .....	128.6	1,827.6	-2.1	762	-1.4
Maine .....	48.9	557.7	-.9	691	.4
Maryland .....	162.1	2,414.4	-1.6	977	1.5
Massachusetts .....	216.7	3,071.0	-1.2	1,098	-.2
Michigan .....	250.9	3,677.2	-2.3	815	-1.2
Minnesota .....	168.8	2,493.9	-1.8	883	.2
Mississippi .....	69.9	1,068.6	-1.8	633	.0
Missouri .....	173.1	2,554.7	-2.4	762	-9
Montana .....	42.2	411.0	-.6	634	1.0
Nebraska .....	59.4	880.4	-1.7	694	-.7
Nevada .....	73.9	1,097.8	-4.6	780	-3.7
New Hampshire .....	47.7	589.9	-1.7	833	-.6
New Jersey .....	269.6	3,710.7	-1.5	1,121	1.8
New Mexico .....	54.2	777.3	-2.0	716	-.8
New York .....	586.1	8,239.4	-1.1	1,281	6.1
North Carolina .....	250.8	3,752.2	-2.5	791	3.1
North Dakota .....	25.8	347.2	1.5	684	2.5
Ohio .....	285.3	4,806.4	-2.7	783	-.8
Oklahoma .....	102.7	1,474.2	-3.0	705	-.4
Oregon .....	130.3	1,570.1	-1.9	776	.5
Pennsylvania .....	341.3	5,376.6	-1.3	858	-.3
Rhode Island .....	35.1	437.1	-1.1	836	.7
South Carolina .....	111.9	1,742.0	-1.9	692	-.1
South Dakota .....	30.8	377.2	-1.4	634	.6
Tennessee .....	139.9	2,535.5	-1.7	764	1.6
Texas .....	569.5	10,101.3	-1.3	893	.8
Utah .....	82.7	1,135.8	-2.2	729	.3
Vermont .....	24.3	288.6	-1.0	716	-.4
Virginia .....	231.6	3,489.1	-1.3	932	1.3
Washington .....	226.0	2,752.4	-2.2	899	-.4
West Virginia .....	48.5	682.3	-1.1	693	-1.6
Wisconsin .....	156.8	2,565.5	-2.1	741	-.8
Wyoming .....	25.0	262.2	-3.8	775	-.4
Puerto Rico .....	49.2	943.4	-2.6	497	.0
Virgin Islands .....	3.6	44.9	.5	720	5.1

<sup>1</sup> Average weekly wages were calculated using unrounded data.

NOTE: Includes workers covered by Unemployment Insurance (UI) and Unemployment Compensation for Federal Employees (UCFE) programs. Data are preliminary.

<sup>2</sup> Totals for the United States do not include data for Puerto Rico or the Virgin Islands.

24. Annual data: Quarterly Census of Employment and Wages, by ownership

Year	Average establishments	Average annual employment	Total annual wages (in thousands)	Average annual wage per employee	Average weekly wage
<b>Total covered (UI and UCFE)</b>					
2000	7,879,116	129,877,063	\$4,587,708,584	\$35,323	\$679
2001	7,984,529	129,635,800	4,695,225,123	36,219	697
2002	8,101,872	128,233,919	4,714,374,741	36,764	707
2003	8,228,840	127,795,827	4,826,251,547	37,765	726
2004	8,364,795	129,278,176	5,087,561,796	39,354	757
2005	8,571,144	131,571,623	5,351,949,496	40,677	782
2006	8,784,027	133,833,834	5,692,569,465	42,535	818
2007	8,971,897	135,366,106	6,018,089,108	44,458	855
2008	9,082,049	134,805,659	6,142,159,200	45,563	876
2009	9,003,197	128,607,842	5,859,232,422	45,559	876
<b>UI covered</b>					
2000	7,828,861	127,005,574	\$4,454,966,824	\$35,077	\$675
2001	7,933,536	126,883,182	4,560,511,280	35,943	691
2002	8,051,117	125,475,293	4,570,787,218	36,428	701
2003	8,177,087	125,031,551	4,676,319,378	37,401	719
2004	8,312,729	126,538,579	4,929,262,369	38,955	749
2005	8,518,249	128,837,948	5,188,301,929	40,270	774
2006	8,731,111	131,104,860	5,522,624,197	42,124	810
2007	8,908,198	132,639,806	5,841,231,314	44,038	847
2008	9,017,717	132,043,604	5,959,055,276	45,129	868
2009	8,937,616	125,781,130	5,667,704,722	45,060	867
<b>Private industry covered</b>					
2000	7,622,274	110,015,333	\$3,887,626,769	\$35,337	\$680
2001	7,724,965	109,304,802	3,952,152,155	36,157	695
2002	7,839,903	107,577,281	3,930,767,025	36,539	703
2003	7,963,340	107,065,553	4,015,823,311	37,508	721
2004	8,093,142	108,490,066	4,245,640,890	39,134	753
2005	8,294,662	110,611,016	4,480,311,193	40,505	779
2006	8,505,496	112,718,858	4,780,833,389	42,414	816
2007	8,681,001	114,012,221	5,057,840,759	44,362	853
2008	8,789,360	113,188,643	5,135,487,891	45,371	873
2009	8,709,115	106,947,104	4,829,211,805	45,155	868
<b>State government covered</b>					
2000	65,096	4,370,160	\$158,618,365	\$36,296	\$698
2001	64,583	4,452,237	168,358,331	37,814	727
2002	64,447	4,485,071	175,866,492	39,212	754
2003	64,467	4,481,845	179,528,728	40,057	770
2004	64,544	4,484,997	184,414,992	41,118	791
2005	66,278	4,527,514	191,281,126	42,249	812
2006	66,921	4,565,908	200,329,294	43,875	844
2007	67,381	4,611,395	211,677,002	45,903	883
2008	67,675	4,642,650	222,754,925	47,980	923
2009	67,075	4,639,715	226,148,903	48,742	937
<b>Local government covered</b>					
2000	141,491	12,620,081	\$408,721,690	\$32,387	\$623
2001	143,989	13,126,143	440,000,795	33,521	645
2002	146,767	13,412,941	464,153,701	34,605	665
2003	149,281	13,484,153	480,967,339	35,669	686
2004	155,043	13,563,517	499,206,488	36,805	708
2005	157,309	13,699,418	516,709,610	37,718	725
2006	158,695	13,820,093	541,461,514	39,179	753
2007	159,816	14,016,190	571,713,553	40,790	784
2008	160,683	14,212,311	600,812,461	42,274	813
2009	161,427	14,194,311	612,344,014	43,140	830
<b>Federal government covered (UCFE)</b>					
2000	50,256	2,871,489	\$132,741,760	\$46,228	\$889
2001	50,993	2,752,619	134,713,843	48,940	941
2002	50,755	2,758,627	143,587,523	52,050	1,001
2003	51,753	2,764,275	149,932,170	54,239	1,043
2004	52,066	2,739,596	158,299,427	57,782	1,111
2005	52,895	2,733,675	163,647,568	59,864	1,151
2006	52,916	2,728,974	169,945,269	62,274	1,198
2007	63,699	2,726,300	176,857,794	64,871	1,248
2008	64,332	2,762,055	183,103,924	66,293	1,275
2009	65,581	2,826,713	191,527,700	67,756	1,303

NOTE: Data are final. Detail may not add to total due to rounding.

**25. Annual data: Quarterly Census of Employment and Wages, establishment size and employment, private ownership, by supersector, first quarter 2009**

Industry, establishments, and employment	Total	Size of establishments								
		Fewer than 5 workers <sup>1</sup>	5 to 9 workers	10 to 19 workers	20 to 49 workers	50 to 99 workers	100 to 249 workers	250 to 499 workers	500 to 999 workers	1,000 or more workers
<b>Total all industries<sup>2</sup></b>										
Establishments, first quarter .....	8,673,470	5,396,379	1,372,066	917,124	619,710	208,342	116,230	28,460	10,018	5,141
Employment, March .....	106,811,928	7,655,167	9,090,916	12,402,665	18,661,722	14,311,905	17,267,316	9,739,523	6,812,850	10,869,864
<b>Natural resources and mining</b>										
Establishments, first quarter .....	125,678	71,920	23,395	14,867	9,674	3,218	1,798	557	189	60
Employment, March .....	1,671,238	114,506	154,613	200,225	290,721	219,346	272,879	190,717	127,225	101,006
<b>Construction</b>										
Establishments, first quarter .....	841,895	593,637	117,797	69,486	42,421	12,009	5,208	1,004	254	79
Employment, March .....	5,927,257	750,065	771,369	934,164	1,265,441	817,103	768,721	335,349	170,276	114,769
<b>Manufacturing</b>										
Establishments, first quarter .....	353,643	145,720	59,845	52,049	48,545	22,752	16,627	5,187	1,972	946
Employment, March .....	12,092,961	244,232	401,010	715,491	1,510,229	1,588,920	2,528,984	1,779,448	1,333,297	1,991,350
<b>Trade, transportation, and utilities</b>										
Establishments, first quarter .....	1,894,905	1,033,036	375,292	246,643	148,518	49,772	32,487	7,193	1,500	464
Employment, March .....	24,586,392	1,677,443	2,499,579	3,315,288	4,451,666	3,466,697	4,754,309	2,475,362	986,198	959,850
<b>Information</b>										
Establishments, first quarter .....	146,483	86,433	20,709	15,824	13,049	5,437	3,310	1,046	458	217
Employment, March .....	2,855,390	116,231	137,955	215,809	401,856	374,575	498,814	363,892	311,123	435,135
<b>Financial activities</b>										
Establishments, first quarter .....	841,782	557,483	151,027	76,069	37,169	11,153	5,768	1,759	907	447
Employment, March .....	7,643,521	858,488	993,689	1,001,354	1,107,323	763,190	864,862	608,781	630,533	815,301
<b>Professional and business services</b>										
Establishments, first quarter .....	1,517,365	1,055,297	196,348	124,698	83,581	30,884	18,369	5,326	2,047	815
Employment, March .....	16,516,273	1,410,994	1,290,519	1,682,005	2,542,519	2,131,798	2,769,134	1,819,751	1,394,329	1,475,224
<b>Education and health services</b>										
Establishments, first quarter .....	858,136	417,186	184,310	120,602	78,973	28,774	20,050	4,427	1,976	1,838
Employment, March .....	18,268,572	733,986	1,225,826	1,623,193	2,380,692	2,002,526	3,016,357	1,503,953	1,376,575	4,405,464
<b>Leisure and hospitality</b>										
Establishments, first quarter .....	733,354	283,960	124,005	140,576	133,542	38,935	9,942	1,532	603	259
Employment, March .....	12,723,443	448,520	837,732	1,973,561	4,006,199	2,578,345	1,402,865	518,812	411,444	545,965
<b>Other services</b>										
Establishments, first quarter .....	1,193,934	988,947	116,718	55,617	24,052	5,381	2,663	428	112	16
Employment, March .....	4,361,271	1,168,997	762,081	732,752	699,997	367,591	389,163	143,040	71,850	25,800

<sup>1</sup> Includes establishments that reported no workers in March 2009.

NOTE: Data are final. Detail may not add to total due to rounding.

<sup>2</sup> Includes data for unclassified establishments, not shown separately.

**26. Average annual wages for 2008 and 2009 for all covered workers<sup>1</sup> by metropolitan area**

Metropolitan area <sup>2</sup>	Average annual wages <sup>3</sup>		
	2008	2009	Percent change, 2008-09
Metropolitan areas <sup>4</sup> .....	\$47,194	\$47,127	-0.1
Abilene, TX .....	32,649	32,807	0.5
Aguadilla-Isabela-San Sebastian, PR .....	20,714	21,887	5.7
Akron, OH .....	40,376	40,447	0.2
Albany, GA .....	34,314	35,160	2.5
Albany-Schenectady-Troy, NY .....	43,912	44,859	2.2
Albuquerque, NM .....	39,342	40,301	2.4
Alexandria, LA .....	34,783	35,446	1.9
Allentown-Bethlehem-Easton, PA-NJ .....	42,500	42,577	0.2
Altoona, PA .....	32,986	33,827	2.5
Amarillo, TX .....	38,215	37,938	-0.7
Ames, IA .....	38,558	39,301	1.9
Anchorage, AK .....	46,935	48,345	3.0
Anderson, IN .....	31,326	31,363	0.1
Anderson, SC .....	32,322	32,599	0.9
Ann Arbor, MI .....	48,987	48,925	-0.1
Anniston-Oxford, AL .....	36,227	36,773	1.5
Appleton, WI .....	37,522	37,219	-0.8
Asheville, NC .....	34,070	34,259	0.6
Athens-Clarke County, GA .....	35,503	35,948	1.3
Atlanta-Sandy Springs-Marietta, GA .....	48,064	48,156	0.2
Atlantic City, NJ .....	40,337	39,810	-1.3
Auburn-Opelika, AL .....	32,651	33,367	2.2
Augusta-Richmond County, GA-SC .....	38,068	38,778	1.9
Austin-Round Rock, TX .....	47,355	47,183	-0.4
Bakersfield, CA .....	39,476	40,046	1.4
Baltimore-Towson, MD .....	48,438	49,214	1.6
Bangor, ME .....	33,829	34,620	2.3
Barnstable Town, MA .....	38,839	38,970	0.3
Baton Rouge, LA .....	41,961	42,677	1.7
Battle Creek, MI .....	42,782	43,555	1.8
Bay City, MI .....	36,489	36,940	1.2
Beaumont-Port Arthur, TX .....	43,302	43,224	-0.2
Bellingham, WA .....	35,864	36,757	2.5
Bend, OR .....	35,044	35,336	0.8
Billings, MT .....	36,155	36,660	1.4
Binghamton, NY .....	37,731	38,200	1.2
Birmingham-Hoover, AL .....	43,651	43,783	0.3
Bismarck, ND .....	35,389	36,082	2.0
Blacksburg-Christiansburg-Radford, VA .....	35,272	35,344	0.2
Bloomington, IN .....	33,220	33,828	1.8
Bloomington-Normal, IL .....	43,918	44,925	2.3
Boise City-Nampa, ID .....	37,315	37,410	0.3
Boston-Cambridge-Quincy, MA-NH .....	61,128	60,549	-0.9
Boulder, CO .....	53,455	52,433	-1.9
Bowling Green, KY .....	34,861	34,824	-0.1
Bremerton-Silverdale, WA .....	40,421	42,128	4.2
Bridgeport-Stamford-Norwalk, CT .....	80,018	77,076	-3.7
Brownsville-Harlingen, TX .....	28,342	28,855	1.8
Brunswick, GA .....	34,458	34,852	1.1
Buffalo-Niagara Falls, NY .....	38,984	39,218	0.6
Burlington, NC .....	34,283	33,094	-3.5
Burlington-South Burlington, VT .....	43,559	44,101	1.2
Canton-Massillon, OH .....	34,897	34,726	-0.5
Cape Coral-Fort Myers, FL .....	37,866	37,641	-0.6
Carson City, NV .....	43,858	44,532	1.5
Casper, WY .....	43,851	42,385	-3.3
Cedar Rapids, IA .....	42,356	41,874	-1.1
Champaign-Urbana, IL .....	37,408	38,478	2.9
Charleston, WV .....	40,442	41,436	2.5
Charleston-North Charleston, SC .....	38,035	38,766	1.9
Charlotte-Gastonia-Concord, NC-SC .....	47,332	46,291	-2.2
Charlottesville, VA .....	41,777	42,688	2.2
Chattanooga, TN-GA .....	37,258	37,839	1.6
Cheyenne, WY .....	37,452	38,378	2.5
Chicago-Naperville-Joliet, IL-IN-WI .....	51,775	51,048	-1.4
Chico, CA .....	34,310	35,179	2.5
Cincinnati-Middletown, OH-KY-IN .....	43,801	44,012	0.5
Clarksville, TN-KY .....	32,991	33,282	0.9
Cleveland, TN .....	35,010	35,029	0.1
Cleveland-Elyria-Mentor, OH .....	43,467	43,256	-0.5
Coeur d'Alene, ID .....	31,353	31,513	0.5
College Station-Bryan, TX .....	33,967	34,332	1.1
Colorado Springs, CO .....	40,973	41,885	2.2
Columbia, MO .....	34,331	35,431	3.2
Columbia, SC .....	37,514	38,314	2.1
Columbus, GA-AL .....	35,067	35,614	1.6
Columbus, IN .....	42,610	41,540	-2.5
Columbus, OH .....	43,533	43,877	0.8
Corpus Christi, TX .....	38,771	38,090	-1.8
Corvallis, OR .....	42,343	42,700	0.8

See footnotes at end of table.

**26. Continued — Average annual wages for 2008 and 2009 for all covered workers' by metropolitan area**

Metropolitan area <sup>2</sup>	Average annual wages <sup>3</sup>		
	2008	2009	Percent change, 2008-09
Cumberland, MD-WV .....	\$32,583	\$33,409	2.5
Dallas-Fort Worth-Arlington, TX .....	50,331	49,965	-0.7
Dalton, GA .....	34,403	35,024	1.8
Danville, IL .....	35,602	35,552	-0.1
Danville, VA .....	30,580	30,778	0.6
Davenport-Moline-Rock Island, IA-IL .....	40,425	40,790	0.9
Dayton, OH .....	40,824	40,972	0.4
Decatur, AL .....	36,855	37,145	0.8
Decatur, IL .....	42,012	41,741	-0.6
Deltona-Daytona Beach-Ormond Beach, FL .....	32,938	33,021	0.3
Denver-Aurora, CO .....	51,270	51,733	0.9
Des Moines, IA .....	43,918	44,073	0.4
Detroit-Warren-Livonia, MI .....	50,081	48,821	-2.5
Dothan, AL .....	32,965	33,888	2.8
Dover, DE .....	36,375	37,039	1.8
Dubuque, IA .....	35,656	35,665	0.0
Duluth, MN-WI .....	36,307	36,045	-0.7
Durham, NC .....	53,700	54,857	2.2
Eau Claire, WI .....	33,549	34,186	1.9
El Centro, CA .....	33,239	34,220	3.0
Elizabethtown, KY .....	33,728	34,970	3.7
Elkhart-Goshen, IN .....	35,858	35,823	-0.1
Elmira, NY .....	36,984	36,995	0.0
El Paso, TX .....	31,837	32,665	2.6
Erie, PA .....	35,992	35,995	0.0
Eugene-Springfield, OR .....	35,380	35,497	0.3
Evansville, IN-KY .....	38,304	38,219	-0.2
Fairbanks, AK .....	44,225	45,328	2.5
Fajardo, PR .....	22,984	23,467	2.1
Fargo, ND-MN .....	36,745	37,309	1.5
Farmington, NM .....	41,155	40,437	-1.7
Fayetteville, NC .....	34,619	35,755	3.3
Fayetteville-Springdale-Rogers, AR-MO .....	39,025	40,265	3.2
Flagstaff, AZ .....	35,353	36,050	2.0
Flint, MI .....	39,206	38,682	-1.3
Florence, SC .....	34,841	35,509	1.9
Florence-Muscle Shoals, AL .....	32,088	32,471	1.2
Fond du Lac, WI .....	36,166	35,667	-1.4
Fort Collins-Loveland, CO .....	40,154	40,251	0.2
Fort Smith, AR-OK .....	32,130	32,004	-0.4
Fort Walton Beach-Crestview-Destin, FL .....	36,454	37,823	3.8
Fort Wayne, IN .....	36,806	37,038	0.6
Fresno, CA .....	36,038	36,427	1.1
Gadsden, AL .....	31,718	32,652	2.9
Gainesville, FL .....	37,282	38,863	4.2
Gainesville, GA .....	37,929	37,924	0.0
Glens Falls, NY .....	34,531	35,215	2.0
Goldensboro, NC .....	30,607	30,941	1.1
Grand Forks, ND-MN .....	32,207	33,455	3.9
Grand Junction, CO .....	39,246	38,450	-2.0
Grand Rapids-Wyoming, MI .....	39,868	40,341	1.2
Great Falls, MT .....	31,962	32,737	2.4
Greeley, CO .....	38,700	37,656	-2.7
Green Bay, WI .....	39,247	39,387	0.4
Greensboro-High Point, NC .....	37,919	38,020	0.3
Greenville, NC .....	34,672	35,542	2.5
Greenville, SC .....	37,592	37,921	0.9
Guayama, PR .....	27,189	28,415	4.5
Gulfport-Biloxi, MS .....	35,700	36,251	1.5
Hagerstown-Martinsburg, MD-WV .....	36,472	36,459	0.0
Hanford-Corcoran, CA .....	35,374	35,402	0.1
Harrisburg-Carlisle, PA .....	42,330	43,152	1.9
Harrisonburg, VA .....	34,197	34,814	1.8
Hartford-West Hartford-East Hartford, CT .....	54,446	54,534	0.2
Hattiesburg, MS .....	31,629	32,320	2.2
Hickory-Lenoir-Morganton, NC .....	32,810	32,429	-1.2
Hinesville-Fort Stewart, GA .....	33,854	35,032	3.5
Holland-Grand Haven, MI .....	37,953	37,080	-2.3
Honolulu, HI .....	42,090	42,814	1.7
Hot Springs, AR .....	29,042	29,414	1.3
Houma-Bayou Cane-Thibodaux, LA .....	44,345	44,264	-0.2
Houston-Baytown-Sugar Land, TX .....	55,407	54,779	-1.1
Huntington-Ashland, WV-KY-OH .....	35,717	36,835	3.1
Huntsville, AL .....	47,427	49,240	3.8
Idaho Falls, ID .....	30,485	30,875	1.3
Indianapolis, IN .....	43,128	43,078	-0.1
Iowa City, IA .....	39,070	39,703	1.6
Ithaca, NY .....	41,689	42,779	2.6
Jackson, MI .....	38,672	38,635	-0.1
Jackson, MS .....	36,730	37,118	1.1

See footnotes at end of table.



**26. Continued — Average annual wages for 2008 and 2009 for all covered workers<sup>1</sup> by metropolitan area**

Metropolitan area <sup>2</sup>	Average annual wages <sup>3</sup>		
	2008	2009	Percent change, 2008-09
Jackson, TN .....	\$35,975	\$35,959	0.0
Jacksonville, FL .....	41,524	41,804	0.7
Jacksonville, NC .....	27,893	29,006	4.0
Janesville, WI .....	36,906	36,652	-0.7
Jefferson City, MO .....	33,766	34,474	2.1
Johnson City, TN .....	32,759	33,949	3.6
Johnstown, PA .....	32,464	33,238	2.4
Jonesboro, AR .....	31,532	31,793	0.8
Joplin, MO .....	32,156	32,741	1.8
Kalamazoo-Portage, MI .....	40,333	40,044	-0.7
Kankakee-Bradley, IL .....	34,451	34,539	0.3
Kansas City, MO-KS .....	44,155	44,331	0.4
Kennewick-Richland-Pasco, WA .....	41,878	43,705	4.4
Killeen-Temple-Fort Hood, TX .....	34,299	35,674	4.0
Kingsport-Bristol-Bristol, TN-VA .....	37,260	37,234	-0.1
Kingston, NY .....	35,883	36,325	1.2
Knoxville, TN .....	38,912	39,353	1.1
Kokomo, IN .....	44,117	42,248	-4.2
La Crosse, WI-MN .....	34,078	34,836	2.2
Lafayette, IN .....	37,832	38,313	1.3
Lafayette, LA .....	42,748	42,050	-1.6
Lake Charles, LA .....	39,982	39,263	-1.8
Lakeland, FL .....	35,195	35,485	0.8
Lancaster, PA .....	38,127	38,328	0.5
Lansing-East Lansing, MI .....	42,339	42,764	1.0
Laredo, TX .....	29,572	29,952	1.3
Las Cruces, NM .....	32,894	34,264	4.2
Las Vegas-Paradise, NV .....	43,120	42,674	-1.0
Lawrence, KS .....	32,313	32,863	1.7
Lawton, OK .....	32,258	33,206	2.9
Lebanon, PA .....	33,900	34,416	1.5
Lewiston, ID-WA .....	32,783	32,850	0.2
Lewiston-Auburn, ME .....	34,396	34,678	0.8
Lexington-Fayette, KY .....	40,034	40,446	1.0
Lima, OH .....	35,381	36,224	2.4
Lincoln, NE .....	35,834	36,281	1.2
Little Rock-North Little Rock, AR .....	38,902	40,331	3.7
Logan, UT-ID .....	29,392	29,608	0.7
Longview, TX .....	38,902	38,215	-1.8
Longview, WA .....	37,806	38,300	1.3
Los Angeles-Long Beach-Santa Ana, CA .....	51,520	51,344	-0.3
Louisville, KY-IN .....	40,596	41,101	1.2
Lubbock, TX .....	33,867	34,318	1.3
Lynchburg, VA .....	35,207	35,503	0.8
Macon, GA .....	34,823	35,718	2.6
Madera, CA .....	34,405	34,726	0.9
Madison, WI .....	42,623	42,861	0.6
Manchester-Nashua, NH .....	50,629	49,899	-1.4
Mansfield, OH .....	33,946	33,256	-2.0
Mayaguez, PR .....	22,394	23,634	5.5
McAllen-Edinburg-Pharr, TX .....	28,498	29,197	2.5
Medford, OR .....	33,402	34,047	1.9
Memphis, TN-MS-AR .....	43,124	43,318	0.4
Merced, CA .....	33,903	34,284	1.1
Miami-Fort Lauderdale-Miami Beach, FL .....	44,199	44,514	0.7
Michigan City-La Porte, IN .....	33,507	33,288	-0.7
Midland, TX .....	50,116	47,557	-5.1
Milwaukee-Waukesha-West Allis, WI .....	44,462	44,446	0.0
Minneapolis-St. Paul-Bloomington, MN-WI .....	51,044	50,107	-1.8
Missoula, MT .....	33,414	33,869	1.4
Mobile, AL .....	38,180	39,295	2.9
Modesto, CA .....	37,867	38,657	2.1
Monroe, LA .....	32,796	33,765	3.0
Monroe, MI .....	41,849	41,055	-1.9
Montgomery, AL .....	37,552	38,441	2.4
Morgantown, WV .....	37,082	38,637	4.2
Morristown, TN .....	32,858	32,903	0.1
Mount Vernon-Anacortes, WA .....	36,230	37,098	2.4
Muncie, IN .....	32,420	32,822	1.2
Muskegon-Norton Shores, MI .....	36,033	35,654	-1.1
Myrtle Beach-Conway-North Myrtle Beach, SC .....	28,450	28,132	-1.1
Napa, CA .....	45,061	45,174	0.3
Naples-Marco Island, FL .....	40,178	39,808	-0.9
Nashville-Davidson-Murfreesboro, TN .....	43,964	43,811	-0.3
New Haven-Milford, CT .....	48,239	48,681	0.9
New Orleans-Metairie-Kenner, LA .....	45,108	45,121	0.0
New York-Northern New Jersey-Long Island, NY-NJ-PA .....	66,548	63,773	-4.2
Niles-Benton Harbor, MI .....	38,814	39,097	0.7
Norwich-New London, CT .....	46,727	47,245	1.1
Ocala, FL .....	32,579	32,724	0.4

See footnotes at end of table.

**26. Continued — Average annual wages for 2008 and 2009 for all covered workers<sup>1</sup> by metropolitan area**

Metropolitan area <sup>2</sup>	Average annual wages <sup>3</sup>		
	2008	2009	Percent change, 2008-09
Ocean City, NJ .....	\$33,529	\$33,477	-0.2
Odessa, TX .....	44,316	42,295	-4.6
Ogden-Clearfield, UT .....	34,778	35,562	2.3
Oklahoma City, OK .....	39,363	39,525	0.4
Olympia, WA .....	40,714	41,921	3.0
Omaha-Council Bluffs, NE-IA .....	40,097	40,555	1.1
Orlando, FL .....	39,322	39,225	-0.2
Oshkosh-Neenah, WI .....	41,781	41,300	-1.2
Owensboro, KY .....	34,956	35,264	0.9
Oxnard-Thousand Oaks-Ventura, CA .....	46,490	47,066	1.2
Palm Bay-Melbourne-Titusville, FL .....	42,089	43,111	2.4
Panama City-Lynn Haven, FL .....	34,361	34,857	1.4
Parkersburg-Marietta, WV-OH .....	35,102	35,650	1.6
Pascagoula, MS .....	42,734	43,509	1.8
Pensacola-Ferry Pass-Brent, FL .....	34,829	35,683	2.5
Peoria, IL .....	44,562	44,747	0.4
Philadelphia-Camden-Wilmington, PA-NJ-DE-MD .....	51,814	52,237	0.8
Phoenix-Mesa-Scottsdale, AZ .....	44,482	44,838	0.8
Pine Bluff, AR .....	34,106	34,588	1.4
Pittsburgh, PA .....	44,124	44,234	0.2
Pittsfield, MA .....	38,957	38,690	-0.7
Pocatello, ID .....	30,608	30,690	0.3
Ponce, PR .....	21,818	22,556	3.4
Portland-South Portland-Biddeford, ME .....	39,711	40,012	0.8
Portland-Vancouver-Beaverton, OR-WA .....	45,326	45,544	0.5
Port St. Lucie-Fort Pierce, FL .....	36,174	36,130	-0.1
Poughkeepsie-Newburgh-Middletown, NY .....	42,148	43,054	2.1
Prescott, AZ .....	33,004	32,927	-0.2
Providence-New Bedford-Fall River, RI-MA .....	42,141	42,428	0.7
Provo-Orem, UT .....	35,516	35,695	0.5
Pueblo, CO .....	34,055	34,889	2.4
Punta Gorda, FL .....	32,927	32,563	-1.1
Racine, WI .....	41,232	40,623	-1.5
Raleigh-Cary, NC .....	43,912	44,016	0.2
Rapid City, SD .....	32,227	32,821	1.8
Reading, PA .....	40,691	41,083	1.0
Redding, CA .....	35,655	35,912	0.7
Reno-Sparks, NV .....	42,167	42,232	0.2
Richmond, VA .....	45,244	44,960	-0.6
Riverside-San Bernardino-Ontario, CA .....	38,617	38,729	0.3
Roanoke, VA .....	36,475	37,153	1.9
Rochester, MN .....	46,196	46,999	1.7
Rochester, NY .....	41,728	41,761	0.1
Rockford, IL .....	39,210	38,843	-0.9
Rocky Mount, NC .....	33,110	33,613	1.5
Rome, GA .....	35,229	35,913	1.9
Sacramento-Arden-Arcade-Roseville, CA .....	47,924	48,204	0.6
Saginaw-Saginaw Township North, MI .....	37,549	38,009	1.2
St. Cloud, MN .....	35,069	35,883	2.3
St. George, UT .....	29,291	29,608	1.1
St. Joseph, MO-KS .....	32,651	33,555	2.8
St. Louis, MO-IL .....	45,419	44,080	-2.9
Salem, OR .....	34,891	35,691	2.3
Salinas, CA .....	40,235	40,258	0.1
Salisbury, MD .....	35,901	36,396	1.4
Salt Lake City, UT .....	41,628	42,613	2.4
San Angelo, TX .....	32,852	33,043	0.6
San Antonio, TX .....	38,876	39,596	1.9
San Diego-Carlsbad-San Marcos, CA .....	49,079	49,240	0.3
Sandusky, OH .....	33,760	33,117	-1.9
San Francisco-Oakland-Fremont, CA .....	65,100	65,367	0.4
San German-Cabo Rojo, PR .....	19,875	20,452	2.9
San Jose-Sunnyvale-Santa Clara, CA .....	80,063	79,609	-0.6
San Juan-Caguas-Guaynabo, PR .....	26,839	27,620	2.9
San Luis Obispo-Paso Robles, CA .....	38,134	38,913	2.0
Santa Barbara-Santa Maria-Goleta, CA .....	42,617	43,257	1.5
Santa Cruz-Watsonville, CA .....	41,471	40,880	-1.4
Santa Fe, NM .....	38,646	39,536	2.3
Santa Rosa-Petaluma, CA .....	43,757	43,274	-1.1
Sarasota-Bradenton-Venice, FL .....	36,781	36,856	0.2
Savannah, GA .....	37,846	38,343	1.3
Scranton-Wilkes-Barre, PA .....	34,902	35,404	1.4
Seattle-Tacoma-Bellevue, WA .....	53,667	54,650	1.8
Sheboygan, WI .....	37,834	38,114	0.7
Sherman-Denison, TX .....	36,081	36,151	0.2
Shreveport-Bossier City, LA .....	36,308	36,706	1.1
Sioux City, IA-NE-SD .....	34,326	34,087	-0.7
Sioux Falls, SD .....	36,982	37,562	1.6
South Bend-Mishawaka, IN-MI .....	37,654	37,811	0.4
Spartanburg, SC .....	39,313	39,104	-0.5

See footnotes at end of table.

**26. Continued — Average annual wages for 2008 and 2009 for all covered workers<sup>1</sup> by metropolitan area**

Metropolitan area <sup>2</sup>	Average annual wages <sup>3</sup>		
	2008	2009	Percent change, 2008-09
Spokane, WA .....	\$36,792	\$38,112	3.6
Springfield, IL .....	44,416	45,602	2.7
Springfield, MA .....	40,969	41,248	0.7
Springfield, MO .....	32,971	33,615	2.0
Springfield, OH .....	33,158	33,725	1.7
State College, PA .....	38,050	38,658	1.6
Stockton, CA .....	39,075	39,274	0.5
Sumter, SC .....	30,842	31,074	0.8
Syracuse, NY .....	40,554	41,141	1.4
Tallahassee, FL .....	37,433	38,083	1.7
Tampa-St. Petersburg-Clearwater, FL .....	40,521	41,480	2.4
Terre Haute, IN .....	33,562	33,470	-0.3
Texarkana, TX-Texarkana, AR .....	35,002	35,288	0.8
Toledo, OH .....	39,686	39,098	-1.5
Topeka, KS .....	36,714	37,651	2.6
Trenton-Ewing, NJ .....	60,135	59,313	-1.4
Tucson, AZ .....	39,973	40,071	0.2
Tulsa, OK .....	40,205	40,108	-0.2
Tuscaloosa, AL .....	37,949	38,309	0.9
Tyler, TX .....	38,817	38,845	0.1
Utica-Rome, NY .....	34,936	35,492	1.6
Valdosta, GA .....	29,288	29,661	1.3
Vallejo-Fairfield, CA .....	45,264	47,287	4.5
Vero Beach, FL .....	36,557	35,937	-1.7
Victoria, TX .....	39,888	38,608	-3.2
Vineland-Millville-Bridgeton, NJ .....	40,709	41,145	1.1
Virginia Beach-Norfolk-Newport News, VA-NC .....	38,696	39,614	2.4
Visalia-Porterville, CA .....	32,018	32,125	0.3
Waco, TX .....	35,698	36,731	2.9
Warner Robins, GA .....	40,457	41,820	3.4
Washington-Arlington-Alexandria, DC-VA-MD-WV .....	62,653	64,032	2.2
Waterloo-Cedar Falls, IA .....	37,363	37,919	1.5
Wausau, WI .....	36,477	36,344	-0.4
Weirton-Steubenville, WV-OH .....	35,356	34,113	-3.5
Wenatchee, WA .....	30,750	31,200	1.5
Wheeling, WV-OH .....	32,915	33,583	2.0
Wichita, KS .....	40,423	40,138	-0.7
Wichita Falls, TX .....	34,185	33,698	-1.4
Williamsport, PA .....	33,340	34,188	2.5
Wilmington, NC .....	35,278	36,204	2.6
Winchester, VA-WV .....	37,035	38,127	2.9
Winston-Salem, NC .....	39,770	39,874	0.3
Worcester, MA .....	45,955	45,743	-0.5
Yakima, WA .....	30,821	31,366	1.8
Yauco, PR .....	19,821	20,619	4.0
York-Hanover, PA .....	39,379	39,798	1.1
Youngstown-Warren-Boardman, OH-PA .....	34,403	33,704	-2.0
Yuba City, CA .....	36,538	37,289	2.1
Yuma, AZ .....	31,351	32,474	3.6

<sup>1</sup> Includes workers covered by Unemployment Insurance (UI) and Unemployment Compensation for Federal Employees (UCFE) programs.

<sup>2</sup> Includes data for Metropolitan Statistical Areas (MSA) as defined by OMB Bulletin No. 04-03 as of February 18, 2004.

<sup>3</sup> Each year's total is based on the MSA definition for the specific year. Annual changes include differences resulting from changes in MSA definitions.

<sup>4</sup> Totals do not include the six MSAs within Puerto Rico.

**27. Annual data: Employment status of the population**

[Numbers in thousands]

Employment status	1999 <sup>1</sup>	2000 <sup>1</sup>	2001 <sup>1</sup>	2002 <sup>1</sup>	2003	2004	2005	2006	2007	2008	2009
Civilian noninstitutional population.....	207,753	212,577	215,092	217,570	221,168	223,357	226,082	228,815	231,867	233,788	235,801
Civilian labor force.....	139,368	142,583	143,734	144,863	146,510	147,401	149,320	151,428	153,124	154,287	154,142
Labor force participation rate.....	67.1	67.1	66.8	66.6	66.2	66.0	66.0	66.2	66.0	66.0	65.4
Employed.....	133,488	136,891	136,933	136,485	137,736	139,252	141,730	144,427	146,047	145,362	139,877
Employment-population ratio.....	64.3	64.4	63.7	62.7	62.3	62.3	62.3	63.1	63.0	62.2	59.3
Unemployed.....	5,880	5,692	6,801	8,378	8,774	8,149	7,591	7,001	7,078	8,924	14,265
Unemployment rate.....	4.2	4.0	4.7	5.8	6.0	5.5	5.1	4.6	4.6	5.8	9.3
Not in the labor force.....	68,385	69,994	71,359	72,707	74,658	75,956	76,762	77,387	78,743	79,501	81,659

<sup>1</sup> Not strictly comparable with prior years.

**28. Annual data: Employment levels by industry**

[In thousands]

Industry	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Total private employment.....	108,686	110,995	110,708	108,828	108,416	109,814	111,899	114,113	115,380	114,281	108,369
Total nonfarm employment.....	128,993	131,785	131,826	130,341	129,999	131,435	133,703	136,086	137,598	136,790	130,912
Goods-producing.....	24,465	24,649	23,873	22,557	21,816	21,882	22,190	22,531	22,233	21,334	18,620
Natural resources and mining.....	598	599	606	583	572	591	628	684	724	767	700
Construction.....	6,545	6,787	6,826	6,716	6,735	6,976	7,336	7,691	7,630	7,162	6,037
Manufacturing.....	17,322	17,263	16,441	15,259	14,510	14,315	14,226	14,155	13,879	13,406	11,883
Private service-providing.....	84,221	86,346	86,834	86,271	86,600	87,932	89,709	91,582	93,147	92,947	89,749
Trade, transportation, and utilities.....	25,771	26,225	25,983	25,497	25,287	25,533	25,959	26,276	26,630	26,293	24,947
Wholesale trade.....	5,893	5,933	5,773	5,652	5,608	5,663	5,764	5,905	6,015	5,943	5,625
Retail trade.....	14,970	15,280	15,239	15,025	14,917	15,058	15,280	15,353	15,520	15,283	14,528
Transportation and warehousing.....	4,300	4,410	4,372	4,224	4,185	4,249	4,361	4,470	4,541	4,508	4,234
Utilities.....	609	601	599	596	577	564	554	549	553	559	561
Information.....	3,419	3,630	3,629	3,395	3,188	3,118	3,061	3,038	3,032	2,984	2,807
Financial activities.....	7,648	7,687	7,808	7,847	7,977	8,031	8,153	8,328	8,301	8,145	7,758
Professional and business services.....	15,957	16,666	16,476	15,976	15,987	16,394	16,954	17,566	17,942	17,735	16,580
Education and health services.....	14,798	15,109	15,645	16,199	16,588	16,953	17,372	17,826	18,322	18,838	19,190
Leisure and hospitality.....	11,543	11,862	12,036	11,986	12,173	12,493	12,816	13,110	13,427	13,436	13,102
Other services.....	5,087	5,168	5,258	5,372	5,401	5,409	5,395	5,438	5,494	5,515	5,364
Government.....	20,307	20,790	21,118	21,513	21,583	21,621	21,804	21,974	22,218	22,509	22,544

**29. Annual data: Average hours and earnings of production or nonsupervisory workers on nonfarm payrolls, by industry**

Industry	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
<b>Private sector:</b>											
Average weekly hours.....	34.3	34.3	34.0	33.9	33.7	33.7	33.8	33.9	33.9	33.6	33.1
Average hourly earnings (in dollars).....	13.49	14.02	14.54	14.97	15.37	15.69	16.13	16.76	17.43	18.08	18.62
Average weekly earnings (in dollars).....	463.15	481.01	493.79	506.75	518.06	529.09	544.33	567.87	590.04	607.95	617.11
<b>Goods-producing:</b>											
Average weekly hours.....	40.8	40.7	39.9	39.9	39.8	40.0	40.1	40.5	40.6	40.2	39.2
Average hourly earnings (in dollars).....	14.71	15.27	15.78	16.33	16.80	17.19	17.60	18.02	18.67	19.33	19.90
Average weekly earnings (in dollars).....	599.99	621.86	630.01	651.61	669.13	688.13	705.31	730.16	757.34	776.66	779.79
<b>Natural resources and mining</b>											
Average weekly hours.....	44.2	44.4	44.6	43.2	43.6	44.5	45.6	45.6	45.9	45.1	43.3
Average hourly earnings (in dollars).....	16.33	16.55	17.00	17.19	17.56	18.07	18.72	19.90	20.97	22.50	23.29
Average weekly earnings (in dollars).....	721.74	734.92	757.92	741.97	765.94	803.82	853.71	907.95	962.64	1014.69	1007.92
<b>Construction:</b>											
Average weekly hours.....	39.0	39.2	38.7	38.4	38.4	38.3	38.6	39.0	39.0	38.5	37.6
Average hourly earnings (in dollars).....	16.80	17.48	18.00	18.52	18.95	19.23	19.46	20.02	20.95	21.87	22.67
Average weekly earnings (in dollars).....	655.11	685.78	695.89	711.82	726.83	735.55	750.22	781.21	816.66	842.61	852.48
<b>Manufacturing:</b>											
Average weekly hours.....	41.4	41.3	40.3	40.5	40.4	40.8	40.7	41.1	41.2	40.8	39.8
Average hourly earnings (in dollars).....	13.85	14.32	14.76	15.29	15.74	16.14	16.56	16.81	17.26	17.75	18.23
Average weekly earnings (in dollars).....	573.14	590.77	595.19	618.75	635.99	658.49	673.30	691.02	711.56	724.46	725.87
<b>Private service-providing:</b>											
Average weekly hours.....	32.7	32.7	32.5	32.5	32.3	32.3	32.4	32.5	32.4	32.3	32.1
Average hourly earnings (in dollars).....	13.09	13.62	14.18	14.59	14.99	15.29	15.74	16.42	17.11	17.77	18.35
Average weekly earnings (in dollars).....	427.98	445.74	461.08	473.80	484.68	494.22	509.58	532.78	554.89	574.35	588.07
<b>Trade, transportation, and utilities:</b>											
Average weekly hours.....	33.9	33.8	33.5	33.6	33.6	33.5	33.4	33.4	33.3	33.2	32.9
Average hourly earnings (in dollars).....	12.82	13.31	13.70	14.02	14.34	14.58	14.92	15.39	15.78	16.16	16.50
Average weekly earnings (in dollars).....	434.31	449.88	459.53	471.27	481.14	488.42	498.43	514.34	526.07	536.06	542.47
<b>Wholesale trade:</b>											
Average weekly hours.....	38.6	38.8	38.4	38.0	37.9	37.8	37.7	38.0	38.2	38.2	37.6
Average hourly earnings (in dollars).....	15.62	16.28	16.77	16.98	17.36	17.65	18.16	18.91	19.59	20.13	20.85
Average weekly earnings (in dollars).....	602.77	631.40	643.45	644.38	657.29	667.09	685.00	718.63	748.94	769.62	784.72
<b>Retail trade:</b>											
Average weekly hours.....	30.8	30.7	30.7	30.9	30.9	30.7	30.6	30.5	30.2	30.0	29.9
Average hourly earnings (in dollars).....	10.45	10.86	11.29	11.67	11.90	12.08	12.36	12.57	12.75	12.87	13.02
Average weekly earnings (in dollars).....	602.77	631.40	643.45	644.38	657.29	667.09	685.00	718.63	748.94	769.62	784.72
<b>Transportation and warehousing:</b>											
Average weekly hours.....	37.6	37.4	36.7	36.8	36.8	37.2	37.0	36.9	37.0	36.4	36.1
Average hourly earnings (in dollars).....	14.55	15.05	15.33	15.76	16.25	16.52	16.70	17.28	17.72	18.41	18.80
Average weekly earnings (in dollars).....	547.97	562.31	562.70	579.88	598.41	614.96	618.58	636.97	654.95	670.37	677.72
<b>Utilities:</b>											
Average weekly hours.....	42.0	42.0	41.4	40.9	41.1	40.9	41.1	41.4	42.4	42.7	42.1
Average hourly earnings (in dollars).....	22.03	22.75	23.58	23.96	24.77	25.61	26.68	27.40	27.88	28.83	29.56
Average weekly earnings (in dollars).....	924.59	955.66	977.18	979.09	1017.27	1048.44	1095.90	1135.34	1182.65	1230.69	1243.79
<b>Information:</b>											
Average weekly hours.....	36.7	36.8	36.9	36.5	36.2	36.3	36.5	36.6	36.5	36.7	36.6
Average hourly earnings (in dollars).....	18.40	19.07	19.80	20.20	21.01	21.40	22.06	23.23	23.96	24.78	25.45
Average weekly earnings (in dollars).....	675.47	700.86	730.88	737.77	760.45	777.25	805.08	850.42	874.65	908.99	931.81
<b>Financial activities:</b>											
Average weekly hours.....	35.8	35.9	35.8	35.6	35.5	35.5	35.9	35.7	35.9	35.8	36.1
Average hourly earnings (in dollars).....	14.47	14.98	15.59	16.17	17.14	17.52	17.95	18.80	19.64	20.28	20.83
Average weekly earnings (in dollars).....	517.57	537.37	557.92	575.54	609.08	622.87	644.99	672.21	705.13	727.07	751.04
<b>Professional and business services:</b>											
Average weekly hours.....	34.4	34.5	34.2	34.2	34.1	34.2	34.2	34.6	34.8	34.8	34.7
Average hourly earnings (in dollars).....	14.85	15.52	16.33	16.81	17.21	17.48	18.08	19.13	20.15	21.18	22.35
Average weekly earnings (in dollars).....	510.99	535.07	557.84	574.66	587.02	597.56	618.87	662.27	700.82	737.70	775.78
<b>Education and health services:</b>											
Average weekly hours.....	32.1	32.2	32.3	32.4	32.3	32.4	32.6	32.5	32.6	32.5	32.3
Average hourly earnings (in dollars).....	13.44	13.95	14.64	15.21	15.64	16.15	16.71	17.38	18.11	18.87	19.49
Average weekly earnings (in dollars).....	431.35	449.29	473.39	492.74	505.69	523.78	544.59	564.94	590.09	613.73	628.59
<b>Leisure and hospitality:</b>											
Average weekly hours.....	26.1	26.1	25.8	25.8	25.6	25.7	25.7	25.7	25.5	25.2	24.8
Average hourly earnings (in dollars).....	7.96	8.32	8.57	8.81	9.00	9.15	9.38	9.75	10.41	10.84	11.11
Average weekly earnings (in dollars).....	208.05	217.20	220.73	227.17	230.42	234.86	241.36	250.34	265.52	273.39	275.78
<b>Other services:</b>											
Average weekly hours.....	32.5	32.5	32.3	32.0	31.4	31.0	30.9	30.9	30.9	30.8	30.5
Average hourly earnings (in dollars).....	12.26	12.73	13.27	13.72	13.84	13.98	14.34	14.77	15.42	16.09	16.59
Average weekly earnings (in dollars).....	398.77	413.41	428.64	439.76	434.41	433.04	443.37	456.50	477.06	495.57	506.31

NOTE: Data reflect the conversion to the 2002 version of the North American Industry Classification System (NAICS), replacing the Standard Industrial Classification (SIC) system. NAICS-based data by industry are not comparable with SIC-based data.

**30. Employment Cost Index, compensation,<sup>1</sup> by occupation and industry group**

[December 2005 = 100]

Series	2008		2009				2010			Percent change	
	Sept.	Dec.	Mar.	June	Sept.	Dec.	Mar.	June	Sept.	3 months ended	12 months ended
	Sept. 2010										
<b>Civilian workers<sup>2</sup></b> .....	109.2	109.5	109.9	110.3	110.8	111.1	111.8	112.3	112.9	0.5	1.9
Workers by occupational group											
Management, professional, and related.....	110.1	110.4	110.9	111.1	111.5	111.7	112.5	112.8	113.4	.5	1.7
Management, business, and financial.....	109.7	109.8	110.0	110.1	110.2	110.4	111.7	112.1	112.3	.2	1.9
Professional and related.....	110.4	110.7	111.3	111.6	112.2	112.4	112.9	113.2	114.0	.7	1.6
Sales and office.....	108.2	108.3	108.4	108.7	109.4	109.7	110.3	111.2	111.6	.4	2.0
Sales and related.....	106.0	105.5	104.3	104.5	105.4	105.8	105.9	107.5	107.4	-.1	1.9
Office and administrative support.....	109.5	110.0	110.8	111.3	111.8	112.1	113.0	113.5	114.1	.5	2.1
Natural resources, construction, and maintenance.....	109.3	109.8	110.1	110.7	111.2	111.6	112.5	112.9	113.4	.4	2.0
Construction and extraction.....	110.3	110.8	111.0	111.6	112.2	112.5	113.2	113.7	114.4	.6	2.0
Installation, maintenance, and repair.....	108.0	108.6	109.1	109.5	110.0	110.4	111.6	112.0	112.2	.2	2.0
Production, transportation, and material moving.....	106.9	107.2	108.0	108.5	109.1	109.3	110.3	110.9	111.7	.7	2.4
Production.....	105.9	106.2	107.2	107.7	108.1	108.4	109.6	110.1	110.8	.6	2.5
Transportation and material moving.....	108.1	108.4	108.9	109.5	110.2	110.4	111.2	111.9	112.9	.9	2.5
Service occupations.....	110.2	110.6	111.5	111.9	112.6	113.0	113.5	113.8	114.6	.7	1.8
Workers by industry											
Goods-producing.....	107.3	107.5	108.0	108.2	108.5	108.7	109.8	110.3	111.0	.6	2.3
Manufacturing.....	105.6	105.9	106.5	106.7	106.8	107.0	108.4	109.1	109.9	.7	2.9
Service-providing.....	109.5	109.8	110.3	110.6	111.3	111.5	112.2	112.7	113.3	.5	1.8
Education and health services.....	110.8	111.1	111.7	112.2	113.2	113.4	113.7	113.9	114.8	.8	1.4
Health care and social assistance.....	110.4	110.8	111.7	112.2	112.8	113.2	113.7	114.1	114.6	.4	1.6
Hospitals.....	110.2	110.8	111.7	112.3	112.9	113.4	114.1	114.7	115.2	.4	2.0
Nursing and residential care facilities.....	109.0	109.6	110.3	110.8	111.3	111.5	112.1	112.3	112.7	.4	1.3
Education services.....	111.1	111.3	111.8	112.1	113.5	113.6	113.7	113.8	115.1	1.1	1.4
Elementary and secondary schools.....	111.1	111.4	111.9	112.1	113.9	114.0	114.1	114.2	115.5	1.1	1.4
Public administration <sup>3</sup> .....	111.6	112.0	113.0	113.8	114.5	115.1	115.6	115.9	116.6	.6	1.8
<b>Private industry workers</b> .....	108.7	108.9	109.3	109.6	110.0	110.2	111.1	111.7	112.2	.4	2.0
Workers by occupational group											
Management, professional, and related.....	109.6	109.9	110.4	110.5	110.6	110.7	111.8	112.2	112.7	.4	1.9
Management, business, and financial.....	109.3	109.5	109.6	109.7	109.7	109.9	111.3	111.7	112.0	.3	2.1
Professional and related.....	109.9	110.3	111.0	111.1	111.4	111.4	112.2	112.6	113.3	.6	1.7
Sales and office.....	107.9	107.9	107.9	108.3	108.8	109.2	109.8	110.8	111.1	.3	2.1
Sales and related.....	106.0	105.5	104.3	104.5	105.3	105.8	105.8	107.5	107.4	-.1	2.0
Office and administrative support.....	109.2	109.6	110.5	110.9	111.3	111.6	112.6	113.1	113.7	.5	2.2
Natural resources, construction, and maintenance.....	109.0	109.6	109.9	110.3	110.9	111.2	112.2	112.7	113.1	.4	2.0
Construction and extraction.....	110.3	110.8	110.9	111.5	112.0	112.4	113.1	113.6	114.3	.6	2.1
Installation, maintenance, and repair.....	107.4	108.1	108.6	108.9	109.4	109.8	111.1	111.5	111.5	.0	1.9
Production, transportation, and material moving.....	106.6	106.9	107.7	108.1	108.6	108.9	109.9	110.5	111.3	.7	2.5
Production.....	105.8	106.1	107.1	107.6	108.0	108.3	109.5	110.0	110.7	.6	2.5
Transportation and material moving.....	107.7	107.9	108.4	108.9	109.6	109.7	110.5	111.2	112.2	.9	2.4
Service occupations.....	109.4	109.8	110.7	110.9	111.7	111.8	112.4	112.7	113.3	.5	1.4
Workers by industry and occupational group											
Goods-producing industries.....	107.2	107.5	107.9	108.2	108.4	108.6	109.8	110.3	111.0	.6	2.4
Management, professional, and related.....	106.7	106.6	106.8	106.7	106.5	106.4	108.0	108.6	109.2	.6	2.5
Sales and office.....	106.7	107.1	107.3	107.4	107.5	107.8	108.2	108.9	109.7	.7	2.0
Natural resources, construction, and maintenance.....	109.8	110.4	110.4	110.9	111.3	111.7	112.6	113.0	113.6	.5	2.1
Production, transportation, and material moving.....	105.8	106.2	107.0	107.5	107.8	108.0	109.3	109.8	110.6	.7	2.6
Construction.....	110.6	110.9	110.9	111.2	111.5	111.7	112.1	112.3	112.8	.4	1.2
Manufacturing.....	105.6	105.9	106.5	106.7	106.8	107.0	108.4	109.1	109.9	.7	2.9
Management, professional, and related.....	105.4	105.4	105.7	105.7	105.4	105.5	107.2	108.0	108.8	.7	3.2
Sales and office.....	106.7	107.0	107.3	107.1	107.2	107.5	108.2	109.0	110.3	1.2	2.9
Natural resources, construction, and maintenance.....	105.3	106.0	106.6	107.1	107.4	107.7	109.5	110.1	110.9	.7	3.3
Production, transportation, and material moving.....	105.5	105.8	106.7	107.2	107.5	107.8	109.1	109.6	110.4	.7	2.7
Service-providing industries.....	109.1	109.4	109.8	110.1	110.5	110.8	111.6	112.2	112.6	.4	1.9
Management, professional, and related.....	110.2	110.6	111.1	111.2	111.4	111.6	112.5	112.9	113.4	.4	1.8
Sales and office.....	108.0	108.0	108.0	108.4	109.0	109.4	110.0	111.0	111.3	.3	2.1
Natural resources, construction, and maintenance.....	107.8	108.4	109.0	109.5	110.1	110.4	111.7	112.2	112.2	.0	1.9
Production, transportation, and material moving.....	107.6	107.8	108.5	109.0	109.7	109.9	110.6	111.3	112.2	.8	2.3
Service occupations.....	109.5	109.8	110.7	111.0	111.7	111.9	112.4	112.7	113.3	.5	1.4
Trade, transportation, and utilities.....	107.6	107.5	107.8	108.1	108.6	108.8	109.9	110.9	111.1	.2	2.3

See footnotes at end of table.

30. Continued—Employment Cost Index, compensation,<sup>1</sup> by occupation and industry group

[December 2005 = 100]

Series	2008		2009				2010			Percent change	
	Sept.	Dec.	Mar.	June	Sept.	Dec.	Mar.	June	Sept.	3 months ended	12 months ended
	Sept. 2010										
Wholesale trade.....	107.1	106.8	107.1	106.9	106.8	107.0	108.0	108.9	108.7	-0.2	1.8
Retail trade.....	108.2	108.1	108.3	108.8	109.7	110.0	110.9	111.9	112.0	.1	2.1
Transportation and warehousing.....	106.8	106.9	107.4	107.9	108.3	108.2	109.0	110.0	110.9	.8	2.4
Utilities.....	108.1	108.9	109.6	110.9	111.2	112.0	115.4	117.0	117.8	.7	5.9
Information.....	107.2	107.4	107.7	107.5	108.0	108.3	109.0	109.8	110.2	.4	2.0
Financial activities.....	107.4	107.1	106.8	107.9	108.3	108.6	109.8	110.5	110.6	.1	2.1
Finance and insurance.....	107.6	107.2	106.9	108.1	108.6	108.8	110.0	111.0	111.0	.0	2.2
Real estate and rental and leasing.....	106.4	106.6	106.6	106.9	107.4	107.7	109.0	108.4	108.8	.4	1.3
Professional and business services.....	110.8	111.6	111.9	111.9	112.1	112.4	113.0	113.4	114.0	.5	1.7
Education and health services.....	110.3	110.6	111.5	111.9	112.6	112.8	113.3	113.7	114.3	.5	1.5
Education services.....	111.4	111.3	111.9	112.0	113.2	113.2	113.2	113.3	114.7	1.2	1.3
Health care and social assistance.....	110.1	110.5	111.5	111.9	112.5	112.8	113.3	113.8	114.2	.4	1.5
Hospitals.....	110.1	110.7	111.5	112.0	112.6	113.2	113.9	114.5	115.0	.4	2.1
Leisure and hospitality.....	110.6	111.4	112.2	112.0	112.7	112.7	113.5	113.4	113.9	.4	1.1
Accommodation and food services.....	111.4	112.1	113.0	112.6	113.4	113.5	114.0	114.1	114.6	.4	1.1
Other services, except public administration.....	109.9	109.9	110.8	110.8	111.8	111.5	112.2	112.7	113.3	.5	1.3
<b>State and local government workers.....</b>	<b>111.3</b>	<b>111.6</b>	<b>112.3</b>	<b>112.9</b>	<b>114.0</b>	<b>114.3</b>	<b>114.6</b>	<b>114.9</b>	<b>115.9</b>	<b>.9</b>	<b>1.7</b>
Workers by occupational group											
Management, professional, and related.....	111.3	111.6	112.0	112.6	113.7	113.9	114.1	114.3	115.3	.9	1.4
Professional and related.....	111.1	111.4	111.9	112.4	113.7	114.0	114.0	114.2	115.3	1.0	1.4
Sales and office.....	111.0	111.3	112.4	113.0	114.3	114.7	115.3	115.5	116.4	.8	1.8
Office and administrative support.....	111.4	111.8	112.8	113.3	114.7	115.0	115.6	115.9	116.8	.8	1.8
Service occupations.....	111.9	112.4	113.4	114.0	114.9	115.6	116.1	116.4	117.6	1.0	2.3
Workers by industry											
Education and health services.....	111.2	111.5	111.9	112.4	113.7	114.0	114.1	114.2	115.4	1.1	1.5
Education services.....	111.0	111.2	111.8	112.1	113.5	113.7	113.8	113.9	115.1	1.1	1.4
Schools.....	111.0	111.2	111.8	112.1	113.5	113.7	113.8	113.9	115.1	1.1	1.4
Elementary and secondary schools.....	111.1	111.4	112.0	112.2	114.0	114.1	114.1	114.3	115.6	1.1	1.4
Health care and social assistance.....	112.7	113.2	113.3	114.8	115.3	115.8	116.2	116.6	117.1	.4	1.6
Hospitals.....	110.8	111.3	112.4	113.5	114.0	114.5	115.2	115.8	116.1	.3	1.8
Public administration <sup>3</sup> .....	111.6	112.0	113.0	113.8	114.5	115.1	115.6	115.9	116.6	.6	1.8

<sup>1</sup> Cost (cents per hour worked) measured in the Employment Cost Index consists of wages, salaries, and employer cost of employee benefits.

<sup>2</sup> Consists of private industry workers (excluding farm and household workers) and State and local government (excluding Federal Government) workers.

<sup>3</sup> Consists of legislative, judicial, administrative, and regulatory activities.

NOTE: The Employment Cost Index data reflect the conversion to the 2002 North American Classification System (NAICS) and the 2000 Standard Occupational Classification (SOC) system. The NAICS and SOC data shown prior to 2006 are for informational purposes only. Series based on NAICS and SOC became the official BLS estimates starting in March 2006.

**31. Employment Cost Index, wages and salaries, by occupation and industry group**

[December 2005 = 100]

Series	2008		2009				2010			Percent change	
	Sept.	Dec.	Mar.	June	Sept.	Dec.	Mar.	June	Sept.	3 months ended	12 months ended
	Sept. 2010										
<b>Civilian workers<sup>1</sup></b> .....	109.3	109.6	110.0	110.4	110.9	111.2	111.7	112.2	112.6	0.4	1.5
Workers by occupational group											
Management, professional, and related.....	110.1	110.5	111.0	111.2	111.5	111.8	112.5	112.8	113.4	.5	1.7
Management, business, and financial.....	109.8	110.1	110.4	110.5	110.6	110.9	112.1	112.6	112.8	.2	2.0
Professional and related.....	110.3	110.7	111.2	111.5	112.1	112.2	112.7	113.0	113.7	.6	1.4
Sales and office.....	108.1	108.1	108.1	108.6	109.2	109.7	109.9	110.8	111.1	-.3	1.7
Sales and related.....	106.3	105.6	104.3	104.7	105.7	106.2	106.2	108.0	107.7	-.3	1.9
Office and administrative support.....	109.3	109.8	110.6	111.2	111.6	111.9	112.3	112.7	113.3	.5	1.5
Natural resources, construction, and maintenance.....	109.9	110.6	110.7	111.2	111.7	112.1	112.6	112.9	113.2	.3	1.3
Construction and extraction.....	110.7	111.3	111.4	111.8	112.3	112.7	112.8	113.3	113.8	.4	1.3
Installation, maintenance, and repair.....	108.8	109.6	110.0	110.5	111.1	111.5	112.3	112.4	112.5	.1	1.3
Production, transportation, and material moving.....	107.7	108.0	108.5	109.0	109.6	109.9	110.1	110.6	111.3	.6	1.6
Production.....	107.2	107.5	108.2	108.7	109.2	109.4	109.8	110.1	110.6	.5	1.3
Transportation and material moving.....	108.2	108.5	108.8	109.5	110.2	110.4	110.6	111.2	112.1	.8	1.7
Service occupations.....	109.9	110.3	111.2	111.6	112.4	112.7	113.0	113.2	113.7	.4	1.2
Workers by industry											
Goods-producing.....	108.6	109.0	109.2	109.5	109.8	110.1	110.5	110.9	111.5	.5	1.5
Manufacturing.....	107.4	107.7	108.1	108.4	108.6	108.9	109.4	110.0	110.6	.5	1.8
Service-providing.....	109.4	109.7	110.2	110.5	111.1	111.4	111.9	112.4	112.9	.4	1.6
Education and health services.....	110.2	110.5	111.0	111.4	112.3	112.6	112.8	113.0	113.7	.6	1.2
Health care and social assistance.....	110.4	110.9	111.7	112.2	112.8	113.2	113.6	114.0	114.3	.3	1.3
Hospitals.....	110.5	111.3	112.0	112.6	113.2	113.7	114.0	114.6	114.9	.3	1.5
Nursing and residential care facilities.....	109.1	109.7	110.3	110.9	111.4	111.7	112.1	112.3	112.6	.3	1.1
Education services.....	110.0	110.2	110.5	110.7	111.8	112.0	112.2	112.3	113.2	.8	1.3
Elementary and secondary schools.....	109.9	110.1	110.4	110.5	112.0	112.1	112.3	112.5	113.4	.8	1.2
Public administration <sup>2</sup> .....	109.9	110.4	111.3	112.3	112.8	113.3	113.7	113.9	113.8	-.1	.9
<b>Private industry workers.....</b>	<b>109.1</b>	<b>109.4</b>	<b>109.8</b>	<b>110.1</b>	<b>110.6</b>	<b>110.9</b>	<b>111.4</b>	<b>111.9</b>	<b>112.4</b>	<b>.4</b>	<b>1.6</b>
Workers by occupational group											
Management, professional, and related.....	110.1	110.5	111.1	111.1	111.3	111.5	112.5	112.9	113.4	.4	1.9
Management, business, and financial.....	109.7	110.0	110.3	110.3	110.4	110.8	112.0	112.6	112.8	.2	2.2
Professional and related.....	110.4	110.9	111.6	111.8	112.1	112.1	112.8	113.2	113.9	.6	1.6
Sales and office.....	108.0	108.0	107.9	108.3	109.0	109.4	109.6	110.7	110.9	.2	1.7
Sales and related.....	106.4	105.7	104.3	104.7	105.7	106.2	106.2	108.0	107.8	-.2	2.0
Office and administrative support.....	109.2	109.7	110.6	111.1	111.4	111.8	112.2	112.6	113.3	.6	1.7
Natural resources, construction, and maintenance.....	109.8	110.5	110.6	111.0	111.6	112.0	112.5	112.8	113.1	.3	1.3
Construction and extraction.....	110.8	111.5	111.4	111.7	112.3	112.7	112.9	113.3	113.9	.5	1.4
Installation, maintenance, and repair.....	108.5	109.3	109.7	110.2	110.7	111.2	112.1	112.1	112.1	.0	1.3
Production, transportation, and material moving.....	107.5	107.8	108.3	108.8	109.4	109.6	109.8	110.3	111.1	.7	1.6
Production.....	107.2	107.4	108.1	108.5	109.0	109.3	109.6	110.0	110.5	.5	1.4
Transportation and material moving.....	108.0	108.3	108.5	109.2	109.9	110.1	110.2	110.8	111.8	.9	1.7
Service occupations.....	109.7	110.1	111.0	111.2	112.1	112.3	112.6	112.7	113.3	.5	1.1
Workers by industry and occupational group											
Goods-producing industries.....	108.6	109.0	109.2	109.5	109.8	110.0	110.5	110.9	111.5	.5	1.5
Management, professional, and related.....	108.7	108.8	109.3	109.3	109.4	109.4	110.5	111.0	111.5	.5	1.9
Sales and office.....	107.6	107.9	108.1	108.3	108.4	108.8	108.4	108.9	109.9	.9	1.4
Natural resources, construction, and maintenance.....	110.5	111.3	111.1	111.4	111.9	112.3	112.6	112.9	113.5	.5	1.4
Production, transportation, and material moving.....	107.3	107.6	108.0	108.5	108.9	109.1	109.4	109.9	110.4	.5	1.4
Construction.....	110.6	111.1	111.2	111.4	111.7	111.9	112.1	112.2	112.7	.4	.9
Manufacturing.....	107.4	107.7	108.1	108.4	108.6	108.9	109.4	110.0	110.6	.5	1.8
Management, professional, and related.....	107.6	107.8	108.4	108.5	108.6	108.7	110.0	110.7	111.2	.5	2.4
Sales and office.....	107.6	108.1	108.2	108.2	108.3	108.7	108.3	109.1	110.4	1.2	1.9
Natural resources, construction, and maintenance.....	108.1	109.0	108.8	109.2	109.7	109.9	110.4	110.9	111.4	.5	1.5
Production, transportation, and material moving.....	107.1	107.3	107.7	108.2	108.6	108.9	109.2	109.6	110.1	.5	1.4
Service-providing industries.....	109.3	109.6	110.0	110.3	110.8	111.1	111.7	112.3	112.7	.4	1.7
Management, professional, and related.....	110.3	110.8	111.4	111.5	111.7	111.9	112.8	113.2	113.7	.4	1.8
Sales and office.....	108.0	108.0	107.9	108.3	109.0	109.5	109.8	110.9	111.0	.1	1.8
Natural resources, construction, and maintenance.....	108.6	109.3	109.9	110.5	111.2	111.6	112.5	112.7	112.6	-.1	1.3
Production, transportation, and material moving.....	107.8	108.1	108.6	109.3	110.0	110.2	110.4	110.9	111.9	.9	1.7
Service occupations.....	109.7	110.1	111.0	111.3	112.2	112.3	112.6	112.8	113.3	.4	1.0
Trade, transportation, and utilities.....	107.5	107.4	107.8	108.2	108.7	108.9	109.5	110.5	110.6	.1	1.7



**31. Continued—Employment Cost Index, wages and salaries, by occupation and industry group**

[December 2005 = 100]

Series	2008		2009				2010			Percent change	
	Sept.	Dec.	Mar.	June	Sept.	Dec.	Mar.	June	Sept.	3 months ended	12 months ended
	Sept. 2010										
Wholesale trade.....	106.8	106.4	106.8	106.5	106.2	106.4	107.1	108.1	107.7	-0.4	1.4
Retail trade.....	108.1	108.1	108.3	108.9	110.0	110.4	111.0	112.0	112.0	.0	1.8
Transportation and warehousing.....	106.7	106.9	107.2	107.9	108.3	108.3	108.7	109.5	110.6	1.0	2.1
Utilities.....	109.3	109.6	111.0	112.0	112.2	113.3	113.9	114.7	115.4	.6	2.9
Information.....	107.3	107.5	107.8	108.1	108.7	109.1	109.6	110.3	110.8	.5	1.9
Financial activities.....	107.7	107.2	106.8	107.9	108.5	108.9	109.8	111.0	111.1	.1	2.4
Finance and insurance.....	108.2	107.6	107.1	108.5	109.0	109.4	110.2	111.9	112.0	.1	2.8
Real estate and rental and leasing.....	105.3	105.7	105.6	105.8	106.3	106.8	107.9	107.2	107.5	.3	1.1
Professional and business services.....	111.0	111.9	112.3	112.2	112.3	112.7	113.3	113.6	114.3	.6	1.8
Education and health services.....	110.2	110.6	111.4	111.8	112.5	112.8	113.2	113.5	114.1	.5	1.4
Education services.....	110.8	110.8	111.1	111.2	112.2	112.6	112.5	112.6	114.2	1.4	1.8
Health care and social assistance.....	110.1	110.6	111.5	111.9	112.5	112.8	113.3	113.7	114.1	.4	1.4
Hospitals.....	110.3	111.1	111.8	112.3	112.9	113.4	113.7	114.3	114.7	.3	1.6
Leisure and hospitality.....	111.4	112.3	113.1	112.8	113.7	113.8	114.5	114.3	114.8	.4	1.0
Accommodation and food services.....	111.9	112.8	113.7	113.2	114.2	114.3	114.7	114.6	115.1	.4	.8
Other services, except public administration.....	110.4	110.4	111.4	111.4	112.5	112.1	112.3	112.7	113.4	.6	.8
<b>State and local government workers.....</b>	<b>110.1</b>	<b>110.4</b>	<b>110.9</b>	<b>111.5</b>	<b>112.4</b>	<b>112.6</b>	<b>112.9</b>	<b>113.1</b>	<b>113.6</b>	<b>.4</b>	<b>1.1</b>
Workers by occupational group											
Management, professional, and related.....	110.1	110.4	110.7	111.2	112.1	112.3	112.5	112.7	113.3	.5	1.1
Professional and related.....	110.1	110.3	110.6	111.1	112.1	112.3	112.5	112.6	113.3	.6	1.1
Sales and office.....	109.3	109.7	110.5	111.2	112.1	112.4	112.9	112.9	113.0	.1	.8
Office and administrative support.....	109.7	110.1	111.0	111.6	112.6	112.9	113.3	113.4	113.5	.1	.8
Service occupations.....	110.4	110.9	112.0	112.7	113.3	113.8	114.3	114.5	114.9	.3	1.4
Workers by industry											
Education and health services.....	110.2	110.5	110.7	111.1	112.1	112.3	112.5	112.6	113.4	.7	1.2
Education services.....	109.9	110.1	110.4	110.7	111.7	111.9	112.1	112.2	113.0	.7	1.2
Schools.....	109.9	110.1	110.4	110.7	111.7	111.9	112.1	112.2	113.0	.7	1.2
Elementary and secondary schools.....	109.8	110.1	110.3	110.5	112.0	112.1	112.3	112.5	113.4	.8	1.2
Health care and social assistance.....	112.8	113.4	113.1	114.8	115.2	115.6	115.9	116.2	116.2	.0	.9
Hospitals.....	111.4	112.1	112.8	114.0	114.4	114.9	115.4	115.7	115.7	.0	1.1
Public administration <sup>2</sup> .....	109.9	110.4	111.3	112.3	112.8	113.3	113.7	113.9	113.8	-1	.9

<sup>1</sup> Consists of private industry workers (excluding farm and household workers) and State and local government (excluding Federal Government) workers.

<sup>2</sup> Consists of legislative, judicial, administrative, and regulatory activities.

NOTE: The Employment Cost Index data reflect the conversion to the 2002 North

American Classification System (NAICS) and the 2000 Standard Occupational Classification (SOC) system. The NAICS and SOC data shown prior to 2006 are for informational purposes only. Series based on NAICS and SOC became the official BLS estimates starting in March 2006.

**32. Employment Cost Index, benefits, by occupation and industry group**

[December 2005 = 100]

Series	2008		2009				2010			Percent change	
	Sept.	Dec.	Mar.	June	Sept.	Dec.	Mar.	June	Sept.	3 months ended	12 months ended
	Sept. 2010										
<b>Civilian workers</b> .....	108.9	109.1	109.7	110.0	110.6	110.7	112.1	112.7	113.6	0.8	2.7
<b>Private industry workers</b> .....	107.5	107.7	108.2	108.4	108.7	108.8	110.4	111.1	111.7	.5	2.8
Workers by occupational group											
Management, professional, and related.....	108.5	108.5	108.8	108.8	108.9	108.8	110.2	110.5	111.0	.5	1.9
Sales and office.....	107.6	107.8	108.0	108.1	108.5	108.7	110.2	111.1	111.6	.5	2.9
Natural resources, construction, and maintenance.....	107.5	107.7	108.2	108.8	109.3	109.5	111.6	112.4	113.0	.5	3.4
Production, transportation, and material moving.....	104.8	105.1	106.4	106.8	107.1	107.4	110.0	110.8	111.8	.9	4.4
Service occupations.....	108.7	108.8	109.7	110.0	110.4	110.5	111.7	112.5	113.2	.6	2.5
Workers by industry											
Goods-producing.....	104.6	104.7	105.4	105.7	105.7	105.8	108.4	109.0	110.0	.9	4.1
Manufacturing.....	102.3	102.5	103.5	103.6	103.4	103.6	106.6	107.5	108.7	1.1	5.1
Service-providing.....	108.7	108.9	109.3	109.5	109.9	109.9	111.3	111.9	112.3	.4	2.2
<b>State and local government workers</b> .....	113.9	114.2	115.2	115.8	117.5	117.9	118.3	118.8	120.7	1.6	2.7

NOTE: The Employment Cost Index data reflect the conversion to the 2002 North American Classification System (NAICS) and the 2000 Standard Occupational Classification (SOC) system. The NAICS and SOC data shown prior

to 2006 are for informational purposes only. Series based on NAICS and SOC became the official BLS estimates starting in March 2006.

### 33. Employment Cost Index, private industry workers by bargaining status and region

[December 2005 = 100]

Series	2008		2009				2010			Percent change	
	Sept.	Dec.	Mar.	June	Sept.	Dec.	Mar.	June	Sept.	3 months ended	12 months ended
	Sept. 2010										
<b>COMPENSATION</b>											
<b>Workers by bargaining status<sup>1</sup></b>											
Union.....	107.4	108.0	109.1	109.8	110.5	111.1	112.8	113.7	114.6	0.8	3.7
Goods-producing.....	106.2	106.9	108.0	108.9	109.5	110.0	112.0	112.7	113.8	1.0	3.9
Manufacturing.....	102.1	102.8	104.4	104.8	105.4	105.8	108.6	109.1	110.5	1.3	4.8
Service-providing.....	108.3	108.8	109.9	110.6	111.3	111.9	113.5	114.5	115.2	.6	3.5
Nonunion.....	108.9	109.1	109.4	109.6	109.9	110.1	110.9	111.4	111.8	.4	1.7
Goods-producing.....	107.6	107.7	107.9	108.0	108.0	108.2	109.1	109.5	110.1	.5	1.9
Manufacturing.....	106.6	106.8	107.1	107.3	107.3	107.5	108.5	109.2	109.9	.6	2.4
Service-providing.....	109.2	109.4	109.8	110.0	110.4	110.6	111.3	111.9	112.3	.4	1.7
<b>Workers by region<sup>1</sup></b>											
Northeast.....	108.7	109.5	109.8	110.2	110.7	111.0	111.8	112.7	113.1	.4	2.2
South.....	109.1	109.3	109.8	110.1	110.6	110.7	111.5	112.0	112.5	.4	1.7
Midwest.....	107.4	107.6	107.9	108.1	108.4	108.6	109.9	110.4	111.0	.5	2.4
West.....	109.3	109.4	109.9	110.1	110.3	110.7	111.4	111.8	112.2	.4	1.7
<b>WAGES AND SALARIES</b>											
<b>Workers by bargaining status<sup>1</sup></b>											
Union.....	107.4	108.1	108.8	109.6	110.2	110.9	111.5	112.1	112.7	.5	2.3
Goods-producing.....	107.1	107.7	108.2	108.8	109.5	109.8	110.2	110.7	111.1	.4	1.5
Manufacturing.....	104.9	105.5	106.0	106.4	107.0	107.3	107.8	108.2	108.6	.4	1.5
Service-providing.....	107.7	108.3	109.2	110.1	110.8	111.6	112.4	113.1	113.8	.6	2.7
Nonunion.....	109.4	109.6	110.0	110.2	110.6	110.9	111.4	111.9	112.4	.4	1.6
Goods-producing.....	109.0	109.3	109.5	109.7	109.9	110.1	110.6	111.0	111.6	.5	1.5
Manufacturing.....	108.0	108.2	108.6	108.9	109.1	109.3	109.8	110.5	111.1	.5	1.8
Service-providing.....	109.4	109.7	110.1	110.3	110.8	111.0	111.6	112.2	112.6	.4	1.6
<b>Workers by region<sup>1</sup></b>											
Northeast.....	108.7	109.6	109.9	110.3	110.8	111.1	111.7	112.6	112.9	.3	1.9
South.....	109.8	110.0	110.4	110.7	111.3	111.5	111.9	112.4	112.9	.4	1.4
Midwest.....	107.9	108.0	108.4	108.6	108.9	109.2	109.9	110.4	110.9	.5	1.8
West.....	109.9	110.1	110.5	110.8	111.2	111.6	112.1	112.4	112.9	.4	1.5

<sup>1</sup> The indexes are calculated differently from those for the occupation and industry groups. For a detailed description of the index calculation, see the Monthly Labor Review Technical Note, "Estimation procedures for the Employment Cost Index," May 1982.

NOTE: The Employment Cost Index data reflect the conversion to the 2002 North American Classification System (NAICS) and the 2000 Standard Occupational Classification (SOC) system. The NAICS and SOC data shown prior to 2006 are for informational purposes only. Series based on NAICS and SOC became the official BLS estimates starting in March 2006.

**34. National Compensation Survey: Retirement benefits in private industry by access, participation, and selected series, 2003–2007**

Series	Year				
	2003	2004	2005	2006	2007 <sup>1</sup>
<b>All retirement</b>					
<b>Percentage of workers with access</b>					
All workers.....	57	59	60	60	61
White-collar occupations <sup>2</sup> .....	67	69	70	69	-
Management, professional, and related.....	-	-	-	-	76
Sales and office.....	-	-	-	-	64
Blue-collar occupations <sup>2</sup> .....	59	59	60	62	-
Natural resources, construction, and maintenance.....	-	-	-	-	61
Production, transportation, and material moving.....	-	-	-	-	65
Service occupations.....	28	31	32	34	36
Full-time.....	67	68	69	69	70
Part-time.....	24	27	27	29	31
Union.....	86	84	88	84	84
Non-union.....	54	56	56	57	58
Average wage less than \$15 per hour.....	45	46	46	47	47
Average wage \$15 per hour or higher.....	76	77	78	77	76
Goods-producing industries.....	70	70	71	73	70
Service-providing industries.....	53	55	56	56	58
Establishments with 1-99 workers.....	42	44	44	44	45
Establishments with 100 or more workers.....	75	77	78	78	78
<b>Percentage of workers participating</b>					
All workers.....	49	50	50	51	51
White-collar occupations <sup>2</sup> .....	59	61	61	60	-
Management, professional, and related.....	-	-	-	-	69
Sales and office.....	-	-	-	-	54
Blue-collar occupations <sup>2</sup> .....	50	50	51	52	-
Natural resources, construction, and maintenance.....	-	-	-	-	51
Production, transportation, and material moving.....	-	-	-	-	54
Service occupations.....	21	22	22	24	25
Full-time.....	58	60	60	60	60
Part-time.....	18	20	19	21	23
Union.....	83	81	85	80	81
Non-union.....	45	47	46	47	47
Average wage less than \$15 per hour.....	35	36	35	36	36
Average wage \$15 per hour or higher.....	70	71	71	70	69
Goods-producing industries.....	63	63	64	64	61
Service-providing industries.....	45	47	47	47	48
Establishments with 1-99 workers.....	35	37	37	37	37
Establishments with 100 or more workers.....	65	67	67	67	66
<b>Take-up rate (all workers)<sup>3</sup>.....</b>	-	-	85	85	84
<b>Defined Benefit</b>					
<b>Percentage of workers with access</b>					
All workers.....	20	21	22	21	21
White-collar occupations <sup>2</sup> .....	23	24	25	23	-
Management, professional, and related.....	-	-	-	-	29
Sales and office.....	-	-	-	-	19
Blue-collar occupations <sup>2</sup> .....	24	26	26	25	-
Natural resources, construction, and maintenance.....	-	-	-	-	26
Production, transportation, and material moving.....	-	-	-	-	26
Service occupations.....	8	6	7	8	8
Full-time.....	24	25	25	24	24
Part-time.....	8	9	10	9	10
Union.....	74	70	73	70	69
Non-union.....	15	16	16	15	15
Average wage less than \$15 per hour.....	12	11	12	11	11
Average wage \$15 per hour or higher.....	34	35	35	34	33
Goods-producing industries.....	31	32	33	32	29
Service-providing industries.....	17	18	19	18	19
Establishments with 1-99 workers.....	9	9	10	9	9
Establishments with 100 or more workers.....	34	35	37	35	34

See footnotes at end of table.

**34. Continued—National Compensation Survey: Retirement benefits in private industry  
by access, participation, and selected series, 2003–2007**

Series	Year				
	2003	2004	2005	2006	2007 <sup>1</sup>
<b>Percentage of workers participating</b>					
All workers.....	20	21	21	20	20
White-collar occupations <sup>2</sup> .....	22	24	24	22	-
Management, professional, and related .....	-	-	-	-	28
Sales and office .....	-	-	-	-	17
Blue-collar occupations <sup>2</sup> .....	24	25	26	25	-
Natural resources, construction, and maintenance.....	-	-	-	-	25
Production, transportation, and material moving.....	-	-	-	-	25
Service occupations.....	7	6	7	7	7
Full-time.....	24	24	25	23	23
Part-time.....	8	9	9	8	9
Union.....	72	69	72	68	67
Non-union.....	15	15	15	14	15
Average wage less than \$15 per hour.....	11	11	11	10	10
Average wage \$15 per hour or higher.....	33	35	34	33	32
Goods-producing industries.....	31	31	32	31	28
Service-providing industries.....	16	18	18	17	18
Establishments with 1-99 workers.....	8	9	9	9	9
Establishments with 100 or more workers.....	33	34	36	33	32
<b>Take-up rate (all workers)<sup>3</sup>.....</b>	-	-	97	96	95
<b>Defined Contribution</b>					
<b>Percentage of workers with access</b>					
All workers.....	51	53	53	54	55
White-collar occupations <sup>2</sup> .....	62	64	64	65	-
Management, professional, and related .....	-	-	-	-	71
Sales and office .....	-	-	-	-	60
Blue-collar occupations <sup>2</sup> .....	49	49	50	53	-
Natural resources, construction, and maintenance.....	-	-	-	-	51
Production, transportation, and material moving.....	-	-	-	-	56
Service occupations.....	23	27	28	30	32
Full-time.....	60	62	62	63	64
Part-time.....	21	23	23	25	27
Union.....	45	48	49	50	49
Non-union.....	51	53	54	55	56
Average wage less than \$15 per hour.....	40	41	41	43	44
Average wage \$15 per hour or higher.....	67	68	69	69	69
Goods-producing industries.....	60	60	61	63	62
Service-providing industries.....	48	50	51	52	53
Establishments with 1-99 workers.....	38	40	40	41	42
Establishments with 100 or more workers.....	65	68	69	70	70
<b>Percentage of workers participating</b>					
All workers.....	40	42	42	43	43
White-collar occupations <sup>2</sup> .....	51	53	53	53	-
Management, professional, and related .....	-	-	-	-	60
Sales and office .....	-	-	-	-	47
Blue-collar occupations <sup>2</sup> .....	38	38	38	40	-
Natural resources, construction, and maintenance.....	-	-	-	-	40
Production, transportation, and material moving.....	-	-	-	-	41
Service occupations.....	16	18	18	20	20
Full-time.....	48	50	50	51	50
Part-time.....	14	14	14	16	18
Union.....	39	42	43	44	41
Non-union.....	40	42	41	43	43
Average wage less than \$15 per hour.....	29	30	29	31	30
Average wage \$15 per hour or higher.....	57	59	59	58	57
Goods-producing industries.....	49	49	50	51	49
Service-providing industries.....	37	40	39	40	41
Establishments with 1-99 workers.....	31	32	32	33	33
Establishments with 100 or more workers.....	51	53	53	54	53
<b>Take-up rate (all workers)<sup>3</sup>.....</b>	-	-	78	79	77

See footnotes at end of table.

**34. Continued—National Compensation Survey: Retirement benefits in private industry by access, participation, and selected series, 2003–2007**

Series	Year				
	2003	2004	2005	2006	2007 <sup>1</sup>
<b>Employee Contribution Requirement</b>					
Employee contribution required.....	-	-	61	61	65
Employee contribution not required.....	-	-	31	33	35
Not determinable.....	-	-	8	6	0
<b>Percent of establishments</b>					
Offering retirement plans.....	47	48	51	48	46
Offering defined benefit plans.....	10	10	11	10	10
Offering defined contribution plans.....	45	46	48	47	44

<sup>1</sup> The 2002 North American Industry Classification System (NAICS) replaced the 1987 Standard Industrial Classification (SIC) System. Estimates for goods-producing and service-providing (formerly service-producing) industries are considered comparable. Also introduced was the 2000 Standard Occupational Classification (SOC) to replace the 1990 Census of Population system. Only service occupations are considered comparable.

<sup>2</sup> The white-collar and blue-collar occupation series were discontinued effective 2007.

<sup>3</sup> The take-up rate is an estimate of the percentage of workers with access to a plan who participate in the plan.

Note: Where applicable, dashes indicate no employees in this category or data do not meet publication criteria.

**35. National Compensation Survey: Health insurance benefits in private industry  
by access, participation, and selected series, 2003-2007**

Series	Year				
	2003	2004	2005	2006	2007 <sup>1</sup>
<b>Medical insurance</b>					
<b>Percentage of workers with access</b>					
All workers.....	60	69	70	71	71
White-collar occupations <sup>2</sup> .....	65	76	77	77	-
Management, professional, and related .....	-	-	-	-	85
Sales and office.....	-	-	-	-	71
Blue-collar occupations <sup>2</sup> .....	64	76	77	77	-
Natural resources, construction, and maintenance.....	-	-	-	-	76
Production, transportation, and material moving.....	-	-	-	-	78
Service occupations.....	38	42	44	45	46
Full-time.....	73	84	85	85	85
Part-time.....	17	20	22	22	24
Union.....	67	89	92	89	88
Non-union.....	59	67	68	68	69
Average wage less than \$15 per hour.....	51	57	58	57	57
Average wage \$15 per hour or higher.....	74	86	87	88	87
Goods-producing industries.....	68	83	85	86	85
Service-providing industries.....	57	65	66	66	67
Establishments with 1-99 workers.....	49	58	59	59	59
Establishments with 100 or more workers.....	72	82	84	84	84
<b>Percentage of workers participating</b>					
All workers.....	45	53	53	52	52
White-collar occupations <sup>2</sup> .....	50	59	58	57	-
Management, professional, and related .....	-	-	-	-	67
Sales and office.....	-	-	-	-	48
Blue-collar occupations <sup>2</sup> .....	51	60	61	60	-
Natural resources, construction, and maintenance.....	-	-	-	-	61
Production, transportation, and material moving.....	-	-	-	-	60
Service occupations.....	22	24	27	27	28
Full-time.....	56	66	66	64	64
Part-time.....	9	11	12	13	12
Union.....	60	81	83	80	78
Non-union.....	44	50	49	49	49
Average wage less than \$15 per hour.....	35	40	39	38	37
Average wage \$15 per hour or higher.....	61	71	72	71	70
Goods-producing industries.....	57	69	70	70	68
Service-providing industries.....	42	48	48	47	47
Establishments with 1-99 workers.....	36	43	43	43	42
Establishments with 100 or more workers.....	55	64	65	63	62
<b>Take-up rate (all workers)<sup>3</sup>.....</b>	-	-	75	74	73
<b>Dental</b>					
<b>Percentage of workers with access</b>					
All workers.....	40	46	46	46	46
White-collar occupations <sup>2</sup> .....	47	53	54	53	-
Management, professional, and related .....	-	-	-	-	62
Sales and office.....	-	-	-	-	47
Blue-collar occupations <sup>2</sup> .....	40	47	47	46	-
Natural resources, construction, and maintenance.....	-	-	-	-	43
Production, transportation, and material moving.....	-	-	-	-	49
Service occupations.....	22	25	25	27	28
Full-time.....	49	56	56	55	56
Part-time.....	9	13	14	15	16
Union.....	57	73	73	69	68
Non-union.....	38	43	43	43	44
Average wage less than \$15 per hour.....	30	34	34	34	34
Average wage \$15 per hour or higher.....	55	63	62	62	61
Goods-producing industries.....	48	56	56	56	54
Service-providing industries.....	37	43	43	43	44
Establishments with 1-99 workers.....	27	31	31	31	30
Establishments with 100 or more workers.....	55	64	65	64	64

See footnotes at end of table.

**35. Continued—National Compensation Survey: Health insurance benefits in private industry by access, participation, and selected series, 2003-2007**

Series	Year				
	2003	2004	2005	2006	2007 <sup>1</sup>
<b>Percentage of workers participating</b>					
All workers.....	32	37	36	36	36
White-collar occupations <sup>2</sup> .....	37	43	42	41	-
Management, professional, and related .....	-	-	-	-	51
Sales and office.....	-	-	-	-	33
Blue-collar occupations <sup>2</sup> .....	33	40	39	38	-
Natural resources, construction, and maintenance.....	-	-	-	-	36
Production, transportation, and material moving.....	-	-	-	-	38
Service occupations.....	15	16	17	18	20
Full-time.....	40	46	45	44	44
Part-time.....	6	8	9	10	9
Union.....	51	68	67	63	62
Non-union.....	30	33	33	33	33
Average wage less than \$15 per hour.....	22	26	24	23	23
Average wage \$15 per hour or higher.....	47	53	52	52	51
Goods-producing industries.....	42	49	49	49	45
Service-providing industries.....	29	33	33	32	33
Establishments with 1-99 workers.....	21	24	24	24	24
Establishments with 100 or more workers.....	44	52	51	50	49
<b>Take-up rate (all workers)<sup>3</sup>.....</b>	-	-	78	78	77
<b>Vision care</b>					
Percentage of workers with access.....	25	29	29	29	29
Percentage of workers participating.....	19	22	22	22	22
<b>Outpatient Prescription drug coverage</b>					
Percentage of workers with access.....	-	-	64	67	68
Percentage of workers participating.....	-	-	48	49	49
<b>Percent of establishments offering healthcare benefits .....</b>	58	61	63	62	60
<b>Percentage of medical premium paid by Employer and Employee</b>					
<b>Single coverage</b>					
Employer share.....	82	82	82	82	81
Employee share.....	18	18	18	18	19
<b>Family coverage</b>					
Employer share.....	70	69	71	70	71
Employee share.....	30	31	29	30	29

<sup>1</sup> The 2002 North American Industry Classification System (NAICS) replaced the 1987 Standard Industrial Classification (SIC) System. Estimates for goods-producing and service-providing (formerly service-producing) industries are considered comparable. Also introduced was the 2000 Standard Occupational Classification (SOC) to replace the 1990 Census of Population system. Only service occupations are considered comparable.

<sup>2</sup> The white-collar and blue-collar occupation series were discontinued effective 2007.

<sup>3</sup> The take-up rate is an estimate of the percentage of workers with access to a plan who participate in the plan.

Note: Where applicable, dashes indicate no employees in this category or data do not meet publication criteria.



**36. National Compensation Survey: Percent of workers in private industry with access to selected benefits, 2003-2007**

Benefit	Year				
	2003	2004	2005	2006	2007
Life insurance.....	50	51	52	52	58
Short-term disability insurance.....	39	39	40	39	39
Long-term disability insurance.....	30	30	30	30	31
Long-term care insurance.....	11	11	11	12	12
Flexible work place.....	4	4	4	4	5
Section 125 cafeteria benefits					
Flexible benefits.....	-	-	17	17	17
Dependent care reimbursement account.....	-	-	29	30	31
Healthcare reimbursement account.....	-	-	31	32	33
Health Savings Account.....	-	-	5	6	8
Employee assistance program.....	-	-	40	40	42
Paid leave					
Holidays.....	79	77	77	76	77
Vacations.....	79	77	77	77	77
Sick leave.....	-	59	58	57	57
Personal leave.....	-	-	36	37	38
Family leave					
Paid family leave.....	-	-	7	8	8
Unpaid family leave.....	-	-	81	82	83
Employer assistance for child care.....	18	14	14	15	15
Nonproduction bonuses.....	49	47	47	46	47

Note: Where applicable, dashes indicate no employees in this category or data do not meet publication criteria.

**37. Work stoppages involving 1,000 workers or more**

Measure	Annual average		2009		2010										
	2008	2009	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov. <sup>P</sup>
Number of stoppages:															
Beginning in period.....	15	5	2	0	0	0	1	3	1	2	1	0	1	1	0
In effect during period.....	16	5	2	0	0	0	1	4	1	3	1	0	1	1	0
Workers involved:															
Beginning in period (in thousands).....	72.2	12.5	6.6	0.0	0.0	0.0	1.5	5.4	1.7	13.8	15.0	0.0	4.5	1.5	0.0
In effect during period (in thousands).	136.8	16.9	6.6	0.0	0.0	0.0	1.5	6.9	1.7	15.5	15.0	0.0	4.5	1.5	0.0
Days idle:															
Number (in thousands).....	1954.1	124.1	29.7	0.0	0.0	0.0	1.5	44.5	23.8	36.8	180.0	0.0	9.0	4.5	0.0
Percent of estimated working time <sup>1</sup> ...	0.01	0.00	0	0	0	0	0	0	0	0	0.01	0	0	0	0

<sup>1</sup> Agricultural and government employees are included in the total employed and total working time; private household, forestry, and fishery employees are excluded. An explanation of the measurement of idleness as a percentage of the total time

worked is found in "Total economy measures of strike idleness," *Monthly Labor Review*, October 1968, pp. 54-56.

NOTE: p = preliminary.

**38. Consumer Price Indexes for All Urban Consumers and for Urban Wage Earners and Clerical Workers:**

U.S. city average, by expenditure category and commodity or service group

[1982=84 = 100, unless otherwise indicated]

Series	Annual average		2009		2010										
	2008	2009	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.
<b>CONSUMER PRICE INDEX</b>															
<b>FOR ALL URBAN CONSUMERS</b>															
All items.....	215.303	214.537	216.330	215.949	216.687	216.741	217.631	218.009	218.178	217.965	218.011	218.312	218.439	218.711	218.803
All items (1967 = 100).....	644.951	642.658	648.028	646.887	649.098	649.259	651.925	653.059	653.564	652.926	653.066	653.966	654.346	655.162	655.438
Food and beverages.....	214.225	218.249	217.733	218.049	219.223	219.140	219.378	219.536	219.693	219.562	219.539	219.877	220.586	221.005	220.991
Food.....	214.106	217.955	217.265	217.637	218.874	218.778	219.032	219.218	219.374	219.218	219.121	219.491	220.216	220.616	220.617
Food at home.....	214.125	215.124	212.816	213.359	215.404	215.118	215.623	215.737	215.793	215.361	215.256	215.382	216.161	216.698	216.538
Cereals and bakery products.....	244.853	252.567	250.600	251.019	250.725	251.361	250.930	250.425	251.269	250.260	250.172	249.736	250.085	249.890	249.944
Meats, poultry, fish, and eggs.....	204.653	203.805	201.202	201.003	201.870	202.343	202.812	205.178	205.679	208.171	208.989	208.854	211.280	212.170	212.957
Dairy and related products <sup>1</sup> .....	210.396	197.013	193.914	194.792	198.949	198.800	198.814	197.308	197.749	197.947	198.991	198.712	199.042	201.291	201.277
Fruits and vegetables.....	278.932	272.945	269.832	273.189	279.119	274.963	280.431	279.272	277.887	271.907	265.967	265.914	268.832	270.200	269.917
Nonalcoholic beverages and beverage materials.....	160.045	163.034	161.358	161.216	163.684	162.775	162.666	162.128	160.982	160.361	161.121	161.764	161.771	161.313	161.427
Other foods at home.....	184.166	191.220	189.640	189.921	190.994	191.572	190.991	191.017	191.461	191.001	191.529	192.026	191.289	191.311	190.152
Sugar and sweets.....	186.577	196.933	198.227	198.712	199.777	201.942	199.917	200.775	202.123	199.737	201.180	200.335	202.469	202.962	200.586
Fats and oils.....	196.751	201.224	196.473	197.391	200.220	200.919	198.567	197.749	199.510	199.375	200.506	201.764	201.971	203.614	202.375
Other foods.....	198.103	205.497	203.671	203.832	204.719	205.008	204.952	204.947	205.036	204.874	205.166	205.857	204.322	203.990	202.988
Other miscellaneous foods <sup>1,2</sup> .....	119.924	122.393	121.263	122.422	121.564	121.172	122.318	122.298	120.607	121.551	122.052	121.787	122.106	121.698	120.623
Food away from home <sup>3</sup> .....	215.769	223.272	224.633	224.789	224.916	225.081	224.991	225.276	225.573	225.797	225.710	226.422	227.075	227.287	227.512
Other food away from home <sup>1,2</sup> .....	150.640	155.852	157.027	156.990	157.517	158.569	158.657	158.738	158.529	159.271	159.338	159.517	160.072	160.036	160.392
Alcoholic beverages.....	214.484	220.751	222.485	222.082	222.401	222.496	222.521	222.299	222.463	222.680	223.639	223.536	224.043	224.705	224.490
Housing.....	216.264	217.057	215.808	215.523	215.925	215.841	216.023	215.798	215.981	216.778	217.076	216.976	216.602	216.100	215.830
Shelter.....	246.666	249.354	248.211	247.863	247.950	248.001	248.052	248.031	248.100	248.470	248.677	248.595	248.522	248.646	248.738
Rent of primary residence.....	243.271	248.812	248.886	248.999	249.144	249.017	249.089	249.012	248.925	248.999	249.126	249.024	249.368	249.618	250.317
Lodging away from home.....	143.664	134.243	125.426	122.638	125.778	128.991	133.075	134.331	136.121	140.476	143.358	139.999	135.800	133.580	126.704
Owners' equivalent rent of primary residence <sup>3</sup> .....	252.426	256.610	256.731	256.727	256.591	256.483	256.272	256.170	256.163	256.352	256.395	256.509	256.590	256.823	257.202
Tenants' and household insurance <sup>1,2</sup> .....	118.843	121.487	122.243	123.812	124.360	124.439	124.416	124.879	125.036	125.289	125.865	126.463	126.627	127.111	127.501
Fuels and utilities.....	220.018	210.896	208.955	208.760	211.381	210.819	212.295	211.726	212.773	217.820	219.614	219.602	217.695	213.031	210.978
Fuels.....	200.808	188.113	185.165	184.886	187.330	186.345	187.864	187.054	188.017	193.678	195.268	194.865	192.635	187.271	184.764
Fuel oil and other fuels.....	334.405	239.778	260.250	262.649	280.850	277.284	276.027	278.080	272.606	265.521	261.257	263.196	265.812	276.551	286.367
Gas (pipled) and electricity.....	202.212	193.563	189.166	188.724	190.439	189.549	191.280	190.284	191.628	198.207	200.177	199.632	197.049	190.603	187.335
Household furnishings and operations.....	127.800	128.701	127.265	127.119	127.209	126.945	126.750	125.997	126.029	125.589	125.239	125.005	124.535	124.524	124.121
Apparel.....	118.907	120.078	122.465	119.357	116.678	118.869	122.073	122.143	121.006	118.319	115.248	116.667	121.011	122.454	121.498
Men's and boys' apparel.....	113.032	113.628	113.636	110.633	109.762	111.351	113.104	113.692	113.885	112.446	109.670	110.229	112.201	114.090	112.824
Women's and girls' apparel.....	107.460	108.091	111.460	108.304	103.353	106.818	111.730	110.816	108.686	104.746	100.659	102.702	109.217	110.723	109.778
Infants' and toddlers' apparel <sup>3</sup> .....	113.762	114.489	116.312	112.695	113.248	114.318	115.920	116.469	114.412	112.930	112.882	113.245	114.413	114.663	115.106
Footwear.....	124.157	126.854	130.594	128.492	127.205	127.737	128.525	129.432	128.738	127.196	125.212	125.656	129.303	130.896	129.368
Transportation.....	195.549	179.252	188.587	188.318	190.512	189.577	192.130	193.994	194.761	192.651	193.038	193.454	192.412	194.283	195.659
Private transportation.....	191.039	174.762	184.099	183.766	186.308	185.274	187.796	189.503	190.071	187.953	188.028	188.616	187.646	189.674	190.915
New and used motor vehicles <sup>2</sup> .....	93.291	93.486	96.039	96.421	96.660	97.020	97.032	96.815	96.890	97.176	97.620	97.891	97.502	97.203	96.936
New vehicles.....	134.194	135.623	138.831	138.857	138.743	138.851	138.600	138.174	137.750	137.503	137.323	137.119	137.365	137.849	138.222
Used cars and trucks <sup>1</sup> .....	133.951	126.973	134.173	137.406	139.174	140.218	140.797	141.315	142.537	144.399	146.379	147.909	146.065	144.004	142.250
Motor fuel.....	279.652	201.978	228.050	224.730	234.106	227.674	237.671	244.801	246.671	234.868	234.642	235.690	232.518	240.303	245.165
Gasoline (all types).....	277.457	201.555	227.665	224.260	233.727	227.198	237.356	244.347	246.080	234.214	234.091	235.110	231.819	239.527	244.345
Motor vehicle parts and equipment.....	128.747	134.050	134.234	134.781	135.277	135.649	135.523	135.701	136.135	136.686	137.236	137.646	137.802	138.289	138.768
Motor vehicle maintenance and repair.....	233.859	243.337	245.511	245.417	245.567	245.969	246.624	247.355	247.311	247.635	247.536	248.390	249.231	249.824	249.872
Public transportation.....	250.549	236.348	244.226	245.203	241.058	241.967	244.766	249.135	253.275	257.825	257.337	254.717	252.525	251.435	254.995
Medical care.....	364.065	375.613	379.575	379.516	382.688	385.907	387.142	387.703	387.762	388.199	387.898	388.467	390.616	391.240	391.660
Medical care commodities.....	296.045	305.108	308.546	308.221	310.494	312.864	314.023	314.535	314.923	314.888	314.113	314.881	315.804	316.082	316.794
Medical care services.....	384.943	397.299	401.392	401.452	404.937	408.447	409.687	410.256	410.173	410.802	410.710	411.182	413.807	414.564	414.850
Professional services.....	310.968	319.372	321.473	321.827	324.397	325.969	326.206	327.015	327.121	327.938	328.899	329.318	330.149	330.057	330.508
Hospital and related services.....	533.953	567.879	581.603	581.968	588.631	598.549	603.850	604.756	605.313	606.378	604.291	605.859	614.667	618.936	619.747
Recreation <sup>2</sup> .....	113.254	114.272	113.820	113.212	113.310	113.345	113.339	113.781	113.684	113.802	113.689	113.521	113.120	112.984	112.839
Video and audio <sup>1,2</sup> .....	102.632	101.276	100.199	99.873	99.940	99.532	99.915	100.074	99.572	99.814	99.244	98.852	98.638	98.503	98.214
Education and communication <sup>2</sup> .....	123.631	127.393	128.845	128.883	129.072	129.105	129.236	129.344	129.270	129.263	129.586	130.599	131.154	130.959	130.894
Education <sup>2</sup> .....	181.277	190.857	195.649	195.672	195.850	196.137	196.470	196.798	196.917	197.284	198.206	201.476	203.353	203.071	203.139
Educational books and supplies.....	450.187	482.072	495.660	496.580	500.551	502.812	502.273	501.170	502.345	504.870	504.856	504.635	508.892	510.335	510.185
Tuition, other school fees, and child care.....	522.098	548.971	562.623	562.610	562.841	563.544	564.613	565.709	565.983	566.910	569.750	579.833	585.271	584.286	584.509
Communication <sup>1,2</sup> .....	84.185	84.954	84.768	84.809	84.974	84.905	84.940	84.947	84.809	84.657	8				

**38. Continued—Consumer Price Indexes for All Urban Consumers and for Urban Wage Earners and Clerical Workers**

**U.S. city average, by expenditure category and commodity or service group**

[1982=84 = 100, unless otherwise indicated]

Series	Annual average		2009				2010								
	2008	2009	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.
Miscellaneous personal services.....	338.921	344.469	348.792	348.697	349.605	350.780	352.028	352.779	353.522	353.941	354.533	355.429	355.964	356.508	357.061
Commodity and service group:															
Commodities.....	174.764	169.698	173.061	172.572	173.646	173.419	174.798	175.333	175.333	173.899	173.503	173.925	174.282	175.225	175.415
Food and beverages.....	214.225	218.249	217.733	218.049	219.223	219.140	219.378	219.536	219.693	219.562	219.539	219.877	220.586	221.005	220.991
Commodities less food and beverages.....	153.034	144.395	149.245	148.441	149.439	149.162	150.953	151.621	151.559	149.648	149.116	149.558	149.761	150.882	151.148
Nondurables less food and beverages.....	196.192	178.959	187.776	185.689	187.484	186.882	190.674	192.335	192.201	188.237	187.006	187.890	188.770	191.332	192.320
Apparel.....	118.907	120.078	122.465	119.357	116.678	118.869	122.073	122.143	121.006	118.319	115.248	116.667	121.011	122.454	121.498
Non durables less food, beverages, and apparel.....	248.809	219.592	232.649	231.169	235.821	233.447	237.683	240.381	240.876	236.028	235.935	236.498	235.211	238.530	240.762
Durable.....	110.877	109.859	111.159	111.477	111.731	111.753	111.694	111.450	111.454	111.443	111.555	111.587	111.174	110.966	110.573
Services.....	255.498	259.154	259.323	259.055	259.459	259.792	260.196	260.420	260.756	261.756	262.241	262.421	262.320	261.927	261.921
Rent of shelter <sup>3</sup> .....	257.152	259.924	258.704	258.303	258.382	258.435	258.489	258.457	258.525	258.910	259.115	259.015	258.934	259.054	259.142
Transportation services.....	244.074	251.031	255.935	256.014	255.216	256.365	257.337	258.384	259.325	260.525	261.054	260.944	260.577	261.625	263.265
Other services.....	295.780	303.992	306.740	306.436	306.916	307.171	307.451	308.493	308.870	309.349	310.033	311.443	311.802	311.375	311.499
Special indexes:															
All items less food.....	215.528	214.008	216.207	215.703	216.362	216.440	217.430	217.839	218.010	217.788	217.857	218.147	218.179	218.431	218.538
All items less shelter.....	205.453	203.301	206.286	205.888	206.892	206.948	208.181	208.722	208.932	208.486	208.469	208.925	209.133	209.467	209.560
All items less medical care.....	207.777	206.555	208.250	207.860	208.499	208.432	209.301	209.669	209.841	209.605	209.664	209.952	210.001	210.257	210.336
Commodities less food.....	155.310	147.071	151.847	151.052	152.035	151.767	153.516	154.163	154.106	152.247	151.754	152.182	152.395	153.508	153.761
Nondurables less food.....	197.297	181.453	189.852	187.864	189.578	189.015	192.601	194.159	194.041	190.306	189.196	190.025	190.885	193.344	194.266
Nondurables less food and apparel.....	244.443	218.687	230.622	229.250	233.498	231.353	235.198	237.626	238.090	233.711	233.710	234.212	233.089	236.158	238.165
Nondurables.....	205.901	198.548	203.035	203.588	203.588	203.265	205.409	206.393	206.391	204.157	203.471	204.111	204.920	206.518	207.053
Services less rent of shelter <sup>3</sup> .....	273.000	278.064	280.014	279.896	280.730	281.432	282.297	282.851	283.541	285.371	286.238	286.775	286.640	285.588	285.467
Services less medical care services.....	244.987	248.122	248.075	247.793	248.023	248.178	248.531	248.733	249.087	250.094	250.605	250.766	250.516	250.066	250.044
Energy.....	236.666	193.126	204.026	202.301	208.026	204.455	209.999	212.977	214.363	211.660	212.372	212.663	210.003	210.947	211.970
All items less energy.....	214.751	218.433	219.291	219.048	219.287	219.708	220.133	220.252	220.298	220.336	220.316	220.619	221.030	221.236	221.235
All items less food and energy.....	215.572	219.235	220.384	220.025	220.086	220.602	221.059	221.166	221.193	221.265	221.258	221.551	221.907	222.079	222.077
Commodities less food and energy.....	140.246	142.041	143.871	143.383	143.125	143.711	144.399	144.169	143.888	143.376	142.864	143.206	143.866	144.028	143.594
Energy commodities.....	284.352	205.281	231.226	228.186	238.069	231.735	241.239	248.165	249.680	238.032	237.602	238.702	235.797	243.784	248.928
Services less energy.....	261.017	265.875	266.488	266.237	266.519	266.967	267.248	267.587	267.829	268.308	268.655	268.903	269.034	269.208	269.509
<b>CONSUMER PRICE INDEX FOR URBAN</b>															
<b>WAGE EARNERS AND CLERICAL WORKERS</b>															
All items.....	211.053	209.630	212.003	211.703	212.568	212.544	213.525	213.958	214.124	213.839	213.898	214.205	214.306	214.623	214.750
All items (1967 = 100).....	628.661	624.423	631.491	630.600	633.176	633.105	636.025	637.316	637.809	636.962	637.138	638.052	638.353	639.296	639.673
Food and beverages.....	213.546	217.480	216.853	217.186	218.354	218.299	218.502	218.730	218.844	218.730	218.784	219.175	219.817	220.199	220.245
Food.....	213.376	217.118	216.305	216.679	217.900	217.837	218.066	218.319	218.427	218.291	218.276	218.696	219.376	219.736	219.768
Food at home.....	213.017	213.908	211.488	212.041	214.049	213.839	214.291	214.498	214.501	214.143	214.212	214.392	215.058	215.511	215.414
Cereals and bakery products.....	245.472	253.214	251.376	251.570	251.195	251.757	251.493	251.031	251.920	250.742	250.670	250.327	250.654	250.429	250.648
Meats, poultry, fish, and eggs.....	204.255	203.394	200.709	200.623	201.411	202.139	202.540	204.878	205.228	207.883	208.784	208.676	211.109	211.978	212.693
Dairy and related products <sup>1</sup> .....	209.773	195.679	192.695	193.546	197.663	197.583	197.370	195.958	196.490	196.663	197.782	197.651	197.812	199.890	200.084
Fruits and vegetables.....	276.759	270.562	267.049	270.279	276.025	271.974	277.347	276.727	275.080	269.040	263.715	263.946	266.461	267.466	266.802
Nonalcoholic beverages and beverage materials.....	159.324	162.598	160.619	160.745	163.439	162.524	162.499	161.721	160.694	159.938	160.862	161.353	161.210	160.678	160.999
Other foods at home.....	183.637	190.519	188.868	189.197	190.354	190.831	190.232	190.299	190.643	190.164	190.675	191.226	190.318	190.351	189.265
Sugar and sweets.....	185.494	195.702	197.031	197.258	198.694	200.880	198.720	199.665	200.979	198.560	199.857	198.872	200.971	201.469	199.542
Fats and oils.....	197.512	202.003	197.400	198.165	200.741	201.356	198.808	198.454	200.054	199.676	200.656	201.786	202.118	203.670	202.668
Other foods.....	198.303	205.573	203.664	203.972	204.957	205.117	205.081	205.048	205.031	204.877	205.206	206.021	204.234	203.935	202.901
Other miscellaneous foods <sup>1,2</sup> .....	120.348	122.753	121.647	122.796	122.051	121.482	122.543	122.712	120.869	121.830	122.217	121.804	122.164	121.806	120.723
Food away from home <sup>1</sup> .....	215.613	223.383	224.815	224.940	225.015	225.168	225.072	225.395	225.657	225.846	225.707	226.481	227.188	227.412	227.634
Other food away from home <sup>1,2</sup> .....	149.731	155.607	156.853	156.830	157.670	158.826	159.023	159.088	158.901	159.601	159.725	159.866	160.755	160.988	161.428
Alcoholic beverages.....	214.579	221.325	223.445	223.168	223.565	223.621	223.452	223.305	223.515	223.718	224.772	224.749	224.828	225.531	225.771
Housing.....	211.839	213.144	212.327	212.142	212.529	212.401	212.604	212.368	212.518	213.469	213.743	213.603	213.294	212.681	212.490
Shelter.....	239.128	242.637	242.159	241.991	242.019	242.002	242.019	241.987	241.964	242.253	242.396	242.295	242.338	242.513	242.806
Rent of primary residence.....	242.196	247.401	247.361	247.465	247.574	247.448	247.555	247.474	247.352	247.389	247.442	247.250	247.589	247.823	248.553
Lodging away from home <sup>2</sup> .....	143.164	135.163	127.061	124.222	127.150	130.571	134.632	135.793	137.067	142.529	145.768	140.967	136.488	134.787	128.305
Owners' equivalent rent of primary residence <sup>3</sup> .....	228.758	232.499	232.635	232.603	232.463	232.354	232.179	232.108	232.068	232.235	232.271	232.373	232.472	232.680	233.047
Tenants' and household insurance <sup>1,2</sup> .....	119.136	121.935	122.830	124.415	125.299	125.367	125.374	125.872	126.051	126.345	126.950	127.526	127.718	128.130	128.556
Fuels and utilities.....	217.883	209.595	207.530	207.329	209.691	209.171	210.775	210.326	211.426	217.007	218.770	218.703	216.787	211.649	209.449
Fuels.....	197.537	186.229	182.994	182.701	184.843	183.918	185.557	184.918	185.946	192.105	193.671	193.259	191.066	185.262	182.634
Fuel oil and other fuels.....	331.784	243.003	262.340	265.130	284.061	281.157	279.384	280.770	274.630	267.671	263.269	264.904	267.283	278.516	287.994
Gas (pipel) and electricity.....	200.265	191.981	187.572</												

**38. Continued—Consumer Price Indexes for All Urban Consumers and for Urban Wage Earners and Clerical Workers: U.S. city average, by expenditure category and commodity or service group**

[1982-84 = 100, unless otherwise indicated]

Series	Annual average		2009		2010										
	2008	2009	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.
New vehicles.....	135.338	136.711	139.952	139.962	139.857	139.905	139.653	139.192	138.794	138.639	138.387	138.152	138.353	138.806	139.224
Used cars and trucks <sup>1</sup> .....	134.731	127.687	134.977	138.242	140.023	141.079	141.657	142.173	143.396	145.257	147.247	148.782	146.959	144.952	143.176
Motor fuel.....	280.817	202.695	228.871	225.584	235.083	228.569	238.769	245.949	247.688	235.670	235.399	236.436	233.370	241.218	245.957
Gasoline (all types).....	278.728	202.375	228.598	225.223	234.825	228.207	238.583	245.626	247.224	235.124	234.959	235.966	232.783	240.558	245.250
Motor vehicle parts and equipment.....	128.776	134.133	134.346	134.892	135.383	135.694	135.573	135.914	136.182	136.719	137.218	137.612	137.728	138.153	138.654
Motor vehicle maintenance and repair.....	236.353	245.795	247.972	247.812	247.975	248.479	249.127	249.873	249.841	250.142	250.143	251.084	251.938	252.546	252.610
Public transportation.....	247.865	234.661	242.698	243.453	239.739	240.418	242.942	246.535	250.119	254.023	253.625	251.634	249.816	249.169	252.230
Medical care.....	364.208	376.064	380.295	380.302	383.443	386.919	388.330	389.050	389.029	389.513	389.335	389.905	392.783	392.749	393.277
Medical care commodities.....	287.970	296.724	299.972	299.777	301.890	304.320	305.532	306.117	306.458	306.440	305.764	306.541	307.322	307.539	308.332
Medical care services.....	386.317	399.165	403.695	403.791	407.286	411.114	412.568	413.325	413.145	413.834	413.883	414.344	416.993	417.913	418.307
Professional services.....	313.446	322.127	324.382	324.763	327.439	329.020	329.294	330.228	330.396	331.323	332.219	332.656	333.547	333.450	333.868
Hospital and related services.....	530.193	565.029	580.048	580.567	587.101	598.149	604.070	605.497	605.593	606.700	605.634	607.181	615.785	620.670	622.116
Recreation <sup>2</sup> .....	110.143	111.015	110.401	109.851	109.964	110.076	110.073	110.342	110.195	110.339	110.076	109.967	109.626	109.449	109.082
Video and audio <sup>1,2</sup> .....	102.654	101.602	100.681	100.400	100.473	100.084	100.547	100.568	99.977	100.239	99.660	99.385	99.199	99.054	98.774
Education and communication <sup>2</sup> .....	119.827	123.017	124.100	124.156	124.293	124.334	124.455	124.559	124.459	124.430	124.687	125.425	125.818	125.617	125.526
Education <sup>2</sup> .....	178.892	188.143	192.776	192.760	193.049	193.641	193.965	194.275	194.332	194.746	195.550	198.537	200.329	200.129	200.228
Educational books and supplies.....	452.880	485.025	498.627	499.478	503.416	505.356	505.642	504.436	504.925	507.168	506.799	508.150	512.303	512.956	513.546
Tuition, other school fees, and child care.....	504.163	529.316	542.174	542.036	542.531	544.155	545.120	546.192	546.319	547.366	549.874	558.909	563.998	563.319	563.563
Communication <sup>1,2</sup> .....	86.807	87.662	87.468	87.541	87.617	87.501	87.548	87.581	87.453	87.306	87.376	87.391	87.343	87.170	87.040
Information and information processing <sup>1,2</sup> .....	84.828	85.571	85.331	85.404	85.433	85.314	85.362	85.394	85.263	85.115	85.186	85.201	85.154	84.978	84.846
Telephone services <sup>1,2</sup> .....	100.502	102.341	102.413	102.585	102.504	102.038	102.048	102.132	102.101	102.021	102.185	102.239	102.325	102.135	101.975
Information and information processing other than telephone services <sup>1,4</sup> .....	10.567	10.178	9.969	9.935	9.978	10.077	10.099	10.087	10.028	9.976	9.957	9.947	9.891	9.864	9.849
Personal computers and peripheral equipment <sup>1,2</sup> .....	94.863	82.104	77.926	77.821	78.278	77.939	78.474	78.420	76.736	75.631	75.929	75.848	75.356	74.970	74.615
Other goods and services.....	357.906	391.628	403.178	403.970	404.632	404.722	405.641	405.786	406.973	408.610	411.793	412.453	412.690	411.655	412.383
Tobacco and smoking products.....	591.100	735.056	786.541	789.173	791.959	790.710	792.452	793.243	803.019	811.325	824.198	827.609	828.794	826.468	825.644
Personal care <sup>1</sup> .....	199.170	202.490	203.245	203.454	203.575	203.824	204.294	204.294	203.828	203.922	204.575	204.604	204.620	204.142	204.830
Personal care products <sup>1</sup> .....	159.410	162.557	161.784	162.231	161.689	162.073	162.417	161.604	160.289	159.900	161.416	161.376	161.132	160.174	160.801
Personal care services <sup>1</sup> .....	223.978	227.804	228.614	228.614	228.793	228.169	228.500	229.857	230.263	230.472	230.769	230.625	230.624	229.635	229.855
Miscellaneous personal services.....	340.533	346.500	350.046	349.851	351.329	352.366	353.667	354.593	354.725	355.101	355.667	356.582	357.423	357.784	358.407
Commodity and service group:															
Commodities.....	177.618	171.452	175.563	175.127	176.413	176.118	177.591	178.269	178.359	176.848	176.554	177.003	177.267	178.283	178.504
Food and beverages.....	213.546	217.480	216.853	217.186	218.354	218.299	218.502	218.730	218.844	218.730	218.784	219.175	219.817	220.199	220.245
Commodities less food and beverages.....	157.481	147.327	153.273	152.532	153.834	153.444	155.417	156.268	156.345	154.282	153.847	154.309	154.406	155.663	155.953
Nondurables less food and beverages.....	205.279	185.579	195.926	193.667	195.981	195.059	199.133	201.091	201.141	196.614	195.484	196.297	197.015	199.991	201.110
Apparel.....	118.735	119.847	122.228	118.984	116.310	118.607	121.347	121.293	120.267	117.630	114.464	115.600	119.942	121.587	120.628
Nondurables less food, beverages, and apparel.....	263.756	230.503	246.085	244.413	249.801	246.914	251.912	255.140	255.839	250.039	250.103	250.745	249.301	253.167	255.572
Durables.....	111.217	109.610	111.575	112.165	112.511	112.618	112.618	112.432	112.533	112.781	112.995	113.125	112.646	112.294	111.813
Services.....	250.272	254.267	254.663	254.519	254.918	255.199	255.634	255.796	256.048	257.138	257.595	257.745	257.663	257.198	257.219
Rent of shelter <sup>3</sup> .....	230.555	233.917	233.436	233.241	233.252	233.234	233.250	233.210	233.184	233.460	233.588	233.478	233.516	233.679	233.956
Transportation services.....	242.563	250.960	255.871	256.007	255.577	256.809	257.728	258.501	259.113	260.032	260.674	260.904	260.813	262.219	263.804
Other services.....	284.319	291.572	293.624	293.470	293.972	294.230	294.564	295.327	295.551	296.070	296.475	297.576	297.815	297.397	297.313
Special indexes:															
All items less food.....	210.452	208.128	211.055	210.639	211.440	211.423	212.535	213.000	213.175	212.865	212.937	213.224	213.223	213.532	213.675
All items less shelter.....	203.102	199.860	203.301	202.951	204.128	204.101	205.441	206.048	206.283	205.788	205.817	206.276	206.399	206.770	206.838
All items less medical care.....	204.626	202.810	205.106	204.800	205.589	205.461	206.420	206.841	207.010	206.706	206.771	207.068	207.107	207.409	207.523
Commodities less food.....	159.538	149.780	155.650	154.918	156.200	155.820	157.742	158.569	158.650	156.641	156.245	156.695	156.792	158.038	158.328
Nondurables less food.....	206.047	187.718	197.644	195.487	197.701	196.831	200.682	202.529	202.587	198.309	197.295	198.064	198.749	201.606	202.679
Nondurables less food and apparel.....	258.423	228.679	243.061	241.513	246.455	243.829	248.369	251.298	251.953	246.685	246.832	247.415	246.106	249.688	251.899
Nondurables.....	210.333	201.628	206.876	205.823	207.611	207.092	209.370	210.526	210.607	208.127	207.547	208.167	208.853	210.627	211.249
Services less rent of shelter <sup>3</sup> .....	241.567	245.814	247.237	247.174	247.985	248.586	249.464	249.847	250.398	252.319	253.109	253.551	253.335	252.181	251.894
Services less medical care services.....	240.275	243.796	243.991	243.838	244.090	244.205	244.586	244.719	244.987	246.079	246.547	246.681	246.476	245.955	245.958
Energy.....	237.414	192.594	204.196	202.398	208.222	204.494	210.425	213.728	215.104	212.049	212.674	212.996	210.386	211.514	212.622
All items less energy.....	208.719	212.652	213.895	213.780	214.048	214.472	214.857	214.945	214.964	215.015	215.005	215.312	215.742	215.961	215.970
All items less food and energy.....	208.147	212.126	213.787	213.572	213.647	214.172	214.589	214.643	214.645	214.733	214.724	215.009	215.388	215.580	215.584
Commodities less food and energy.....	141.084	143.099	145.595	145.253	145.065	145.722	146.319	146.094	145.941	145.603	145.205	145.557	146.170	146.268	145.757
Energy commodities.....	284.270	205.325	231.371	228.303	238.217	231.808	241.599	248.594	250.038	238.151	237.720	238.785	235.913	243.933	248.880
Services less energy.....	255.598	261.022	261.979	261.871	262.146	262.559	262.830	263.097	263.218	263.631	263.922	264.149			

### 39. Consumer Price Index: U.S. city average and available local area data: all items

[1982-84 = 100, unless otherwise indicated]

	Pricing sched- ule <sup>1</sup>	All Urban Consumers						Urban Wage Earners					
		2010						2010					
		June	July	Aug.	Sept.	Oct.	Nov.	June	July	Aug.	Sept.	Oct.	Nov.
U.S. city average.....	M	217.965	218.011	218.312	218.439	218.711	218.803	213.839	213.898	214.205	214.306	214.623	214.750
<b>Region and area size<sup>2</sup></b>													
Northeast urban.....	M	233.834	233.885	234.150	234.027	234.671	235.094	231.308	231.380	231.694	231.566	232.396	232.962
Size A—More than 1,500,000.....	M	235.769	235.770	236.089	235.995	236.560	236.806	231.552	231.615	231.995	231.881	232.672	233.031
Size B/C—50,000 to 1,500,000 <sup>3</sup> .....	M	139.163	139.274	139.348	139.229	139.746	140.282	140.227	140.283	140.390	140.295	140.848	141.452
Midwest urban <sup>4</sup> .....	M	207.886	208.211	208.639	208.788	208.689	208.816	203.524	203.877	204.273	204.442	204.329	204.468
Size A—More than 1,500,000.....	M	208.289	208.556	208.912	209.253	209.182	209.344	203.063	203.363	203.593	203.946	203.906	204.064
Size B/C—50,000 to 1,500,000 <sup>3</sup> .....	M	133.845	134.130	134.375	134.275	134.074	134.058	133.845	134.136	134.426	134.361	134.093	134.112
Size D—Nonmetropolitan (less than 50,000).....	M	203.749	203.992	204.985	205.100	205.565	206.014	201.654	201.950	202.896	203.086	203.548	203.937
South urban.....	M	211.232	210.988	211.308	211.775	212.026	211.996	208.640	208.440	208.740	209.155	209.376	209.352
Size A—More than 1,500,000.....	M	213.121	212.696	212.947	213.493	213.589	213.424	210.985	210.592	210.831	211.393	211.409	211.222
Size B/C—50,000 to 1,500,000 <sup>3</sup> .....	M	134.173	134.130	134.335	134.658	134.890	134.892	133.227	133.227	133.420	133.680	133.923	133.927
Size D—Nonmetropolitan (less than 50,000).....	M	215.216	214.639	215.266	215.172	215.390	215.736	215.416	214.840	215.354	215.346	215.451	215.822
West urban.....	M	221.147	221.331	221.523	221.384	221.708	221.671	215.681	215.824	216.048	215.804	216.273	216.267
Size A—More than 1,500,000.....	M	225.291	225.574	225.790	225.726	226.058	225.847	218.238	218.499	218.784	218.524	219.017	218.817
Size B/C—50,000 to 1,500,000 <sup>3</sup> .....	M	133.635	133.685	133.704	133.544	133.745	133.930	133.448	133.471	133.480	133.346	133.622	133.777
Size classes:													
A <sup>5</sup> .....	M	199.183	199.224	199.477	199.617	199.842	199.844	197.852	197.908	198.168	198.278	198.576	198.598
B/C <sup>3</sup> .....	M	134.692	134.753	134.908	134.987	135.174	135.289	134.349	134.420	134.581	134.644	134.840	134.969
D.....	M	211.094	210.882	211.606	211.524	211.831	212.124	209.374	209.161	209.863	209.864	210.160	210.529
<b>Selected local areas<sup>6</sup></b>													
Chicago—Gary—Kenosha, IL—IN—WI.....	M	212.186	212.535	212.784	213.339	213.332	213.066	205.834	206.307	206.338	206.897	206.894	206.632
Los Angeles—Riverside—Orange County, CA.....	M	225.877	225.991	226.373	226.048	226.794	225.941	218.222	218.367	218.752	218.427	219.339	218.694
New York, NY—Northern NJ—Long Island, NY—NJ—CT—PA.....	M	240.817	241.147	241.569	241.485	241.981	241.960	235.916	236.330	236.820	236.725	237.483	237.606
Boston—Brockton—Nashua, MA—NH—ME—CT.....	1	-	236.132	-	236.474	-	238.103	-	236.657	-	236.844	-	238.891
Cleveland—Akron, OH.....	1	-	203.989	-	205.492	-	206.168	-	195.477	-	196.787	-	197.530
Dallas—Ft. Worth, TX.....	1	-	200.227	-	201.882	-	201.168	-	203.537	-	205.602	-	204.918
Washington—Baltimore, DC—MD—VA—WV <sup>7</sup> .....	1	-	141.966	-	142.738	-	142.915	-	141.926	-	142.755	-	142.938
Atlanta, GA.....	2	204.725	-	204.511	-	202.913	-	204.084	-	203.745	-	201.887	-
Detroit—Ann Arbor—Flint, MI.....	2	204.891	-	205.412	-	205.824	-	200.703	-	201.359	-	201.864	-
Houston—Galveston—Brazoria, TX.....	2	194.734	-	195.165	-	195.094	-	192.696	-	193.276	-	193.110	-
Miami—Ft. Lauderdale, FL.....	2	222.390	-	222.803	-	223.631	-	220.384	-	220.790	-	221.497	-
Philadelphia—Wilmington—Atlantic City, PA—NJ—DE—MD.....	2	228.074	-	228.500	-	228.543	-	228.175	-	228.523	-	228.676	-
San Francisco—Oakland—San Jose, CA.....	2	228.110	-	227.954	-	228.107	-	224.185	-	224.195	-	224.352	-
Seattle—Tacoma—Bremerton, WA.....	2	226.118	-	227.645	-	227.251	-	221.857	-	223.444	-	223.112	-

<sup>1</sup> Foods, fuels, and several other items priced every month in all areas; most other goods and services priced as indicated:  
M—Every month.

1—January, March, May, July, September, and November.

2—February, April, June, August, October, and December.

<sup>2</sup> Regions defined as the four Census regions.

<sup>3</sup> Indexes on a December 1996 = 100 base.

<sup>4</sup> The "North Central" region has been renamed the "Midwest" region by the Census Bureau. It is composed of the same geographic entities.

<sup>5</sup> Indexes on a December 1986 = 100 base.

<sup>6</sup> In addition, the following metropolitan areas are published semiannually and appear in tables 34 and 39 of the January and July issues of the *CPI Detailed*

*Report:* Anchorage, AK; Cincinnati, OH—KY—IN; Kansas City, MO—KS; Milwaukee—Racine, WI; Minneapolis—St. Paul, MN—WI; Pittsburgh, PA; Portland—Salem, OR—WA; St. Louis, MO—IL; San Diego, CA; Tampa—St. Petersburg—Clearwater, FL.

<sup>7</sup> Indexes on a November 1996 = 100 base.

NOTE: Local area CPI indexes are byproducts of the national CPI program. Each local index has a smaller sample size and is, therefore, subject to substantially more sampling and other measurement error. As a result, local area indexes show greater volatility than the national index, although their long-term trends are similar. Therefore, the Bureau of Labor Statistics strongly urges users to consider adopting the national average CPI for use in their escalator clauses. Index applies to a month as a whole, not to any specific date. Dash indicates data not available.

**40. Annual data: Consumer Price Index, U.S. city average, all items and major groups**

[1982-84 = 100]

Series	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Consumer Price Index for All Urban Consumers:											
All items:											
Index.....	166.6	172.2	177.1	179.9	184.0	188.9	195.3	201.6	207.342	215.303	214.537
Percent change.....	2.2	3.4	2.8	1.6	2.3	2.7	3.4	3.2	2.8	3.8	-0.4
Food and beverages:											
Index.....	164.6	168.4	173.6	176.8	180.5	186.6	191.2	195.7	203.300	214.225	218.249
Percent change.....	2.2	2.3	3.1	1.8	2.1	3.3	2.5	2.4	3.9	5.4	1.9
Housing:											
Index.....	163.9	169.6	176.4	180.3	184.8	189.5	195.7	203.2	209.586	216.264	217.057
Percent change.....	2.2	3.5	4.0	2.2	2.5	2.5	3.3	3.8	3.1	3.2	0.4
Apparel:											
Index.....	131.3	129.6	127.3	124.0	120.9	120.4	119.5	119.5	118.998	118.907	120.078
Percent change.....	-1.3	-1.3	-1.8	-2.6	-2.5	-4	-7	.0	-0.4	-0.1	1.0
Transportation:											
Index.....	144.4	153.3	154.3	152.9	157.6	163.1	173.9	180.9	184.682	195.549	179.252
Percent change.....	2.0	6.2	0.7	-9	3.1	3.5	6.6	4.0	2.1	5.9	-8.3
Medical care:											
Index.....	250.6	260.8	272.8	285.6	297.1	310.1	323.2	336.2	351.054	364.065	375.613
Percent change.....	3.5	4.1	4.6	4.7	4.0	4.4	4.2	4.0	4.4	3.7	3.2
Other goods and services:											
Index.....	258.3	271.1	282.6	293.2	298.7	304.7	313.4	321.7	333.328	345.381	368.586
Percent change.....	8.7	5.0	4.2	3.8	1.9	2.0	2.9	2.6	3.6	3.6	6.7
Consumer Price Index for Urban Wage Earners and Clerical Workers:											
All items:											
Index.....	163.2	168.9	173.5	175.9	179.8	184.5	191.0	197.1	202.767	211.053	209.630
Percent change.....	2.2	3.5	2.7	1.4	2.2	5.1	1.1	3.2	2.9	4.1	-0.7

#### 41. Producer Price Indexes, by stage of processing

[1982 = 100]

Grouping	Annual average		2009		2010										
	2008	2009	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug. <sup>P</sup>	Sept. <sup>P</sup>	Oct. <sup>P</sup>	Nov. <sup>P</sup>
<b>Finished goods.....</b>	177.1	172.5	175.7	176.0	178.0	177.0	179.1	179.5	179.8	179.0	179.5	179.6	180.2	181.2	181.9
Finished consumer goods.....	186.3	179.1	183.3	183.8	186.5	185.1	188.3	188.8	189.2	188.2	188.9	189.0	189.9	191.0	191.9
Finished consumer goods.....	178.3	175.5	176.9	179.8	180.1	180.9	185.6	184.2	184.1	179.5	180.5	180.5	182.8	182.0	184.0
Finished consumer goods															
excluding foods.....	189.1	179.4	184.6	184.2	187.7	185.6	188.2	189.4	190.0	190.1	190.8	190.9	191.3	193.0	193.5
Nondurable goods less food.....	210.5	194.1	201.2	200.9	205.9	202.8	206.8	208.7	209.6	210.1	211.2	211.4	211.9	213.8	214.4
Durable goods.....	141.2	144.3	145.4	144.9	145.4	145.2	145.0	144.8	145.0	144.3	144.2	144.1	144.3	145.5	145.7
Capital equipment.....	153.8	156.7	157.5	157.1	157.5	157.3	157.1	157.1	157.2	157.0	156.9	157.0	157.0	157.8	158.0
<b>Intermediate materials, supplies, and components.....</b>	188.3	172.5	176.0	176.6	179.4	179.2	181.2	183.2	184.3	183.3	183.1	183.5	184.4	185.7	187.1
Materials and components															
for manufacturing.....	177.2	162.7	166.1	167.5	169.4	171.0	172.6	175.0	175.4	173.6	172.6	173.2	174.1	175.6	177.2
Materials for food manufacturing.....	180.4	165.1	165.7	168.5	168.9	169.8	170.4	172.7	175.1	173.2	172.9	175.2	179.0	178.3	180.3
Materials for nondurable manufacturing...	214.3	191.6	199.8	202.9	207.3	211.7	214.8	217.7	216.9	212.7	211.4	213.0	214.4	217.4	222.0
Materials for durable manufacturing.....	203.3	168.9	174.6	176.5	179.4	180.6	183.5	189.3	190.8	188.3	185.2	184.3	185.9	189.3	190.5
Components for manufacturing.....	140.3	141.0	141.1	141.0	141.1	141.3	141.6	142.2	142.4	142.5	142.4	142.8	142.7	142.7	142.6
Materials and components															
for construction.....	205.4	202.9	201.7	202.0	202.3	203.5	204.6	206.1	207.4	206.6	206.3	206.0	205.7	205.8	206.1
Processed fuels and lubricants.....	206.2	161.9	172.6	171.4	180.2	174.9	180.0	183.1	185.9	185.2	186.3	186.3	188.2	190.2	192.4
Containers.....	191.8	195.8	193.2	193.2	194.2	196.1	198.8	200.1	201.6	204.1	204.4	205.3	206.2	206.1	205.8
Supplies.....	173.8	172.2	172.0	172.5	172.9	173.1	173.3	173.8	174.7	174.5	174.8	175.2	175.6	176.4	177.3
<b>Crude materials for further processing.....</b>	251.8	175.2	192.1	195.5	212.8	208.5	212.7	211.0	208.3	203.7	208.7	211.1	208.7	215.2	216.7
Foodstuffs and feedstuffs.....	163.4	134.5	134.0	138.9	142.0	142.3	146.9	148.6	153.0	146.3	150.7	152.5	157.9	160.6	162.3
Crude nonfood materials.....	313.9	197.5	229.4	231.2	260.3	252.2	255.5	250.7	241.5	239.3	244.4	247.2	237.5	246.9	248.2
<b>Special groupings:</b>															
Finished goods, excluding foods.....	176.6	171.1	174.7	174.3	176.7	175.3	176.9	177.6	178.1	178.1	178.5	178.6	178.8	180.2	180.6
Finished energy goods.....	178.7	146.9	156.8	156.0	162.7	157.7	163.3	165.9	166.7	166.8	168.0	168.2	168.8	171.1	171.8
Finished goods less energy.....	169.8	172.3	173.5	174.0	174.6	174.7	175.8	175.5	175.7	174.6	174.9	175.0	175.5	176.1	176.7
Finished consumer goods less energy.....	176.9	179.2	180.6	181.6	182.3	182.6	184.4	184.0	184.2	182.6	183.1	183.2	184.1	184.5	185.4
Finished goods less food and energy.....	167.2	171.5	172.6	172.4	173.0	173.0	173.0	173.0	173.3	173.2	173.3	173.4	173.5	174.5	174.7
Finished consumer goods less food															
and energy.....	176.4	181.6	183.1	183.0	183.9	184.0	184.2	184.2	184.6	184.7	184.9	185.0	185.2	186.3	186.6
Consumer nondurable goods less food															
and energy.....	206.8	214.3	215.9	216.4	217.6	218.1	218.8	219.1	219.7	220.7	221.4	221.6	221.8	222.7	223.0
Intermediate materials less foods															
and feeds.....	188.7	173.0	176.8	177.2	180.2	180.1	182.3	184.4	185.4	184.4	184.2	184.4	185.2	186.5	187.8
Intermediate foods and feeds.....	181.6	166.0	165.7	168.0	168.7	168.3	167.7	168.5	170.8	169.7	170.0	171.8	174.5	175.5	178.1
Intermediate energy goods.....	208.1	162.5	175.2	173.8	183.2	177.4	182.9	185.8	188.5	187.3	188.4	188.8	190.5	192.8	195.2
Intermediate goods less energy.....	180.9	172.8	174.0	175.0	176.2	177.5	178.5	180.3	181.0	180.0	179.4	179.8	180.5	181.5	182.7
Intermediate materials less foods															
and energy.....	180.9	173.4	174.8	175.7	176.8	178.3	179.6	181.5	181.9	181.0	180.4	180.6	181.1	182.0	183.0
Crude energy materials.....	309.4	176.8	211.0	208.6	241.5	229.8	226.8	216.0	205.9	207.7	216.1	217.6	198.4	209.0	205.9
Crude materials less energy.....	205.4	164.8	169.2	176.3	183.0	183.7	191.5	195.2	197.6	189.4	192.1	195.0	202.9	206.3	210.3
Crude nonfood materials less energy.....	324.4	248.4	270.9	285.3	304.0	306.0	324.6	335.3	330.0	317.1	313.2	319.4	335.5	340.8	352.6

p = preliminary.

42. Producer Price Indexes for the net output of major industry groups

[December 2003 = 100, unless otherwise indicated]

NAICS	Industry	2009		2010										
		Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug. <sup>p</sup>	Sept. <sup>p</sup>	Oct. <sup>p</sup>	Nov. <sup>p</sup>
	<b>Total mining industries (December 1984=100)</b> .....	206.7	208.4	231.3	222.3	219.8	213.4	204.9	204.8	209.0	212.0	203.6	214.3	214.7
211	Oil and gas extraction (December 1985=100) .....	233.5	235.5	271.6	257.3	250.9	240.0	226.8	226.7	232.7	238.0	222.2	238.0	236.7
212	Mining, except oil and gas.....	191.6	194.2	196.9	195.8	200.5	201.3	200.1	199.0	200.1	199.7	204.8	208.0	212.9
213	Mining support activities.....	99.1	99.1	99.3	100.0	100.0	100.6	100.7	101.1	102.7	101.6	102.7	104.8	104.4
	<b>Total manufacturing industries (December 1984=100)</b> .....	170.7	170.8	173.1	172.2	173.9	175.2	176.1	174.8	174.7	175.2	175.5	177.1	178.2
311	Food manufacturing (December 1984=100).....	169.1	171.2	172.2	172.4	172.6	173.6	175.8	174.6	174.6	175.8	178.2	178.1	179.4
312	Beverage and tobacco manufacturing.....	121.3	121.3	121.8	122.0	122.4	122.1	123.5	123.9	123.6	123.6	123.5	124.9	124.7
313	Textile mills.....	112.4	112.4	112.6	113.2	114.1	114.6	115.3	115.7	116.0	116.4	116.6	117.0	117.0
315	Apparel manufacturing.....	103.6	103.6	103.5	103.4	103.3	103.6	103.5	103.5	103.5	103.5	103.2	103.6	103.5
316	Leather and allied product manufacturing (December 1984=100).....	152.9	152.8	153.1	153.6	154.0	155.3	155.8	155.9	156.4	156.9	157.4	158.5	158.5
321	Wood products manufacturing.....	103.0	103.5	103.6	105.6	107.3	110.0	112.5	109.3	108.8	108.0	107.2	106.8	106.6
322	Paper manufacturing.....	122.0	122.0	121.9	122.8	124.2	125.1	126.7	128.0	128.7	129.3	130.0	129.7	129.7
323	Printing and related support activities.....	109.3	109.4	109.2	109.3	109.4	109.5	109.5	109.8	110.0	109.7	109.9	110.3	110.5
324	Petroleum and coal products manufacturing (December 1984=100).....	258.4	254.3	275.6	261.0	278.2	287.8	292.0	280.4	278.8	282.8	282.0	295.5	302.4
325	Chemical manufacturing (December 1984=100).....	225.4	227.3	228.7	231.3	232.0	234.1	233.4	232.6	233.5	234.1	234.5	236.6	238.7
326	Plastics and rubber products manufacturing (December 1984=100).....	161.9	162.0	162.3	163.1	164.3	165.6	166.2	167.1	166.8	166.5	166.7	166.7	167.6
331	Primary metal manufacturing (December 1984=100).....	179.9	182.2	186.5	188.1	191.8	198.7	200.5	198.8	194.3	192.7	196.2	200.7	202.4
332	Fabricated metal product manufacturing (December 1984=100).....	174.1	174.2	174.4	175.0	175.6	176.3	177.0	177.1	177.2	177.6	177.3	177.2	177.5
333	Machinery manufacturing.....	120.2	120.3	120.2	120.2	120.2	120.4	120.4	120.3	120.5	120.7	120.8	120.9	120.9
334	Computer and electronic products manufacturing.....	91.8	91.7	91.5	91.5	91.6	91.4	91.3	91.1	91.1	91.1	90.8	90.2	90.0
335	Electrical equipment, appliance, and components manufacturing	130.1	130.5	130.7	131.1	131.1	131.7	131.9	131.8	131.6	131.7	131.2	132.4	133.2
336	Transportation equipment manufacturing.....	110.6	110.2	110.8	110.7	110.3	110.3	110.3	109.9	109.7	109.8	109.8	110.7	111.1
337	Furniture and related product manufacturing (December 1984=100).....	176.4	176.4	176.2	176.0	176.4	176.9	176.7	177.3	177.6	177.7	177.5	177.6	178.0
339	Miscellaneous manufacturing.....	111.8	112.0	112.1	112.1	112.5	112.6	112.6	112.7	113.2	113.1	113.1	113.3	113.6
	<b>Retail trade</b>													
441	Motor vehicle and parts dealers.....	122.4	121.5	123.9	123.8	123.9	124.4	123.9	123.9	124.6	124.6	125.4	125.7	125.5
442	Furniture and home furnishings stores.....	121.5	121.1	120.0	120.9	120.3	121.7	121.7	120.5	119.8	122.5	120.9	120.8	121.7
443	Electronics and appliance stores.....	109.0	92.3	103.2	105.8	101.0	105.4	104.1	105.3	105.8	106.7	104.4	101.8	99.1
446	Health and personal care stores.....	140.0	139.0	138.7	141.0	141.8	142.1	142.5	143.1	136.1	127.6	128.7	128.2	128.0
447	Gasoline stations (June 2001=100).....	77.8	82.9	74.1	75.3	64.3	74.1	82.8	67.6	71.6	76.2	69.8	69.8	71.1
454	Nonstore retailers.....	143.4	145.0	142.9	154.7	144.5	142.8	142.7	138.7	141.3	136.3	140.8	139.9	138.9
	<b>Transportation and warehousing</b>													
481	Air transportation (December 1992=100).....	193.3	194.7	199.6	199.5	203.2	205.8	202.9	208.0	209.1	208.5	195.6	201.9	201.2
483	Water transportation.....	118.3	118.3	120.0	121.5	119.8	121.0	123.1	124.1	129.3	129.9	128.4	128.7	128.2
491	Postal service (June 1989=100).....	186.8	186.8	187.7	187.7	187.7	187.7	187.7	187.7	187.7	187.7	187.7	187.7	187.7
	<b>Utilities</b>													
221	Utilities.....	128.9	129.4	132.2	133.0	132.2	131.0	131.3	134.5	137.1	139.1	135.9	132.1	131.1
	<b>Health care and social assistance</b>													
6211	Office of physicians (December 1996=100).....	127.5	127.6	128.5	128.6	128.9	129.0	129.0	129.7	129.9	129.9	130.0	130.6	130.5
6215	Medical and diagnostic laboratories.....	108.0	108.0	108.3	108.2	108.2	108.2	108.2	108.3	108.4	108.4	108.4	108.6	108.6
6216	Home health care services (December 1996=100).....	128.8	128.8	129.2	129.3	129.3	129.3	129.3	129.3	129.3	129.5	129.9	129.9	129.9
622	Hospitals (December 1992=100).....	171.3	171.5	172.4	172.7	172.9	173.0	172.8	172.9	173.1	173.7	173.4	173.9	174.4
6231	Nursing care facilities.....	124.1	124.4	125.3	125.2	125.4	125.4	125.4	125.0	125.3	125.9	125.8	126.2	126.2
62321	Residential mental retardation facilities.....	125.6	127.1	128.1	127.9	128.1	128.7	128.7	129.5	130.0	130.1	129.9	131.3	131.7
	<b>Other services industries</b>													
511	Publishing industries, except Internet .....	109.8	109.7	110.3	110.2	110.4	110.3	110.4	110.2	110.3	110.3	110.4	110.3	110.5
515	Broadcasting, except Internet.....	104.9	104.6	105.0	104.0	106.3	108.7	109.5	113.5	109.2	109.1	108.4	112.2	113.7
517	Telecommunications.....	100.8	100.9	100.8	100.6	100.5	100.2	100.8	100.9	101.0	101.3	101.3	101.5	101.4
5182	Data processing and related services.....	100.6	100.6	100.7	100.7	100.7	100.8	100.8	100.8	100.8	100.8	100.7	101.8	101.7
523	Security, commodity contracts, and like activity.....	116.0	116.5	117.2	115.7	116.1	117.6	121.2	119.7	118.5	117.4	119.7	122.0	124.4
53112	Lessors or nonresidential buildings (except miniwarehouse).....	109.3	109.9	109.5	109.1	108.8	108.7	109.6	109.5	109.7	109.7	109.4	109.7	109.5
5312	Offices of real estate agents and brokers.....	102.0	101.9	101.7	101.0	100.8	100.6	100.3	100.1	99.8	99.8	99.1	99.1	98.4
5313	Real estate support activities.....	107.3	109.3	108.1	108.3	107.9	107.4	106.9	106.9	106.4	106.6	107.0	107.3	107.1
5321	Automotive equipment rental and leasing (June 2001=100).....	132.3	129.8	130.2	134.3	132.2	133.1	128.9	134.2	144.4	136.2	135.4	134.7	133.4
5411	Legal services (December 1996=100).....	166.6	166.8	169.6	170.0	170.0	171.5	171.5	171.5	171.9	172.2	172.2	172.3	172.3
541211	Offices of certified public accountants.....	115.4	114.0	113.6	114.3	113.6	113.7	112.9	112.7	112.9	113.0	114.0	113.6	113.8
5413	Architectural, engineering, and related services (December 1996=100).....	142.8	143.0	142.9	142.7	143.1	143.1	143.2	143.6	143.8	143.6	143.6	143.9	144.0
54181	Advertising agencies.....	104.7	104.7	104.8	104.8	104.8	104.8	104.8	104.8	105.4	104.8	105.1	105.0	105.5
5613	Employment services (December 1996=100).....	122.8	122.8	123.9	123.6	123.7	124.5	124.9	125.2	125.7	125.8	125.8	126.0	125.6
56151	Travel agencies.....	98.1	98.1	98.1	100.3	100.4	100.4	100.4	100.6	100.6	100.8	100.8	100.5	101.0
56172	Janitorial services.....	110.5	110.5	110.6	110.2	110.4	110.5	110.6	110.6	110.8	110.8	111.2	111.1	110.9
5621	Waste collection.....	117.1	116.1	116.0	115.5	117.1	117.9	118.7	118.6	118.2	118.8	119.1	119.1	118.8
721	Accommodation (December 1996=100).....	139.8	137.2	139.3	140.6	140.3	140.5	140.8	141.2	141.8	142.1	140.1	142.0	141.1

p = preliminary.



#### 43. Annual data: Producer Price Indexes, by stage of processing

[1982 = 100]

Index	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
<b>Finished goods</b>											
Total.....	133.0	138.0	140.7	138.9	143.3	148.5	155.7	160.4	166.6	177.1	172.5
Foods.....	135.1	137.2	141.3	140.1	145.9	152.7	155.7	156.7	167.0	178.3	175.5
Energy.....	78.8	94.1	96.7	88.8	102.0	113.0	132.6	145.9	156.3	178.7	146.9
Other.....	146.1	148.0	150.0	150.2	150.5	152.7	156.4	158.7	161.7	167.2	171.5
<b>Intermediate materials, supplies, and components</b>											
Total.....	123.2	129.2	129.7	127.8	133.7	142.6	154.0	164.0	170.7	188.3	172.5
Foods.....	120.8	119.2	124.3	123.2	134.4	145.0	146.0	146.2	161.4	180.4	165.1
Energy.....	84.3	101.7	104.1	95.9	111.9	123.2	149.2	162.8	174.6	208.1	162.5
Other.....	133.1	136.6	136.4	135.8	138.5	146.5	154.6	163.8	168.4	180.9	173.4
<b>Crude materials for further processing</b>											
Total.....	98.2	120.6	121.0	108.1	135.3	159.0	182.2	184.8	207.1	251.8	175.2
Foods.....	98.7	100.2	106.1	99.5	113.5	127.0	122.7	119.3	146.7	163.4	134.5
Energy.....	78.5	122.1	122.3	102.0	147.2	174.6	234.0	226.9	232.8	309.4	176.8
Other.....	91.1	118.0	101.5	101.0	116.9	149.2	176.7	210.0	238.7	308.5	211.1

#### 44. U.S. export price indexes by end-use category

[2000 = 100]

Category	2009		2010										
	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.
<b>ALL COMMODITIES.....</b>	118.9	119.7	120.7	120.3	121.2	122.5	123.1	122.2	122.0	123.0	123.7	124.7	126.6
Foods, feeds, and beverages.....	162.0	165.1	167.6	160.8	163.4	162.6	165.1	164.5	164.0	171.1	174.6	178.8	189.4
Agricultural foods, feeds, and beverages.....	164.6	167.9	170.6	162.9	165.7	164.6	167.4	166.7	166.1	173.9	177.6	181.9	193.4
Nonagricultural (fish, beverages) food products.....	139.9	140.9	140.9	144.8	145.9	147.8	147.3	147.2	147.7	147.2	149.4	152.8	153.3
Industrial supplies and materials.....	147.5	150.1	152.8	152.6	155.1	160.0	162.2	159.8	158.8	161.2	162.6	165.4	169.6
Agricultural industrial supplies and materials.....	151.8	152.5	152.1	150.4	155.7	157.1	159.1	162.5	163.9	166.6	173.2	181.5	206.4
Fuels and lubricants.....	184.6	189.6	200.0	190.4	197.0	209.2	215.2	208.0	203.7	214.7	213.1	219.6	227.3
Nonagricultural supplies and materials, excluding fuel and building materials.....	144.8	147.3	148.9	150.5	152.2	156.2	157.8	155.8	155.2	156.2	158.0	160.0	162.6
Selected building materials.....	113.0	113.5	114.8	115.8	116.0	117.8	118.2	118.7	117.9	117.3	117.1	116.6	116.9
Capital goods.....	103.3	103.3	103.6	103.6	103.8	103.9	103.8	103.5	103.4	103.4	103.5	103.4	103.8
Electric and electrical generating equipment.....	108.9	109.3	109.9	110.0	109.8	108.8	109.1	109.3	108.5	108.6	108.7	109.3	109.9
Nonelectrical machinery.....	94.6	94.5	94.5	94.5	94.7	95.0	94.7	94.3	94.2	94.2	94.3	94.1	94.4
Automotive vehicles, parts, and engines.....	108.2	108.2	108.5	108.7	108.6	108.5	108.5	108.5	108.5	108.6	108.7	108.9	109.1
Consumer goods, excluding automotive.....	109.4	109.4	109.5	110.0	110.2	110.9	110.8	110.4	110.8	110.7	111.8	112.4	112.9
Nondurables, manufactured.....	109.8	110.0	110.9	111.9	111.9	112.3	112.2	111.5	111.6	112.2	112.9	113.4	114.2
Durables, manufactured.....	109.4	109.2	107.8	107.5	107.7	108.1	108.0	108.2	109.1	108.2	109.9	110.9	111.0
Agricultural commodities.....	161.8	164.7	166.8	160.2	163.3	162.7	165.3	165.3	165.0	172.0	176.1	181.0	194.7
Nonagricultural commodities.....	115.8	116.5	117.3	117.4	118.1	119.6	120.0	119.1	118.9	119.5	120.0	120.7	121.7

**45. U.S. import price indexes by end-use category**

[2000 = 100]

Category	2009		2010										
	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.
<b>ALL COMMODITIES</b> .....	124.1	124.4	125.9	125.8	126.3	127.7	126.7	125.2	125.2	125.7	125.7	127.1	129.0
Foods, feeds, and beverages.....	142.6	143.7	145.6	145.3	147.4	149.0	151.1	148.7	149.2	152.4	153.3	156.5	160.4
Agricultural foods, feeds, and beverages.....	159.5	160.8	163.9	163.1	165.8	167.4	169.8	166.1	166.3	170.3	171.1	174.8	180.0
Nonagricultural (fish, beverages) food products.....	104.5	104.9	104.2	104.7	105.6	107.3	108.7	109.2	110.6	111.9	113.0	115.0	116.1
Industrial supplies and materials.....	195.0	196.2	202.7	202.8	205.0	210.7	205.6	199.5	199.7	201.0	200.1	206.5	213.7
Fuels and lubricants.....	250.1	249.7	260.6	258.8	262.4	269.3	255.6	245.8	248.2	250.8	247.1	257.7	268.4
Petroleum and petroleum products.....	272.2	269.3	279.6	277.4	284.2	294.5	278.9	267.4	269.6	273.4	269.8	282.4	294.7
Paper and paper base stocks.....	102.4	103.1	104.3	106.4	107.6	109.5	112.7	115.5	116.5	116.2	117.5	117.1	118.4
Materials associated with nondurable supplies and materials.....	139.4	140.6	142.6	142.9	144.6	147.8	148.4	146.2	146.0	146.5	147.7	150.4	154.1
Selected building materials.....	118.5	120.9	122.5	124.7	127.6	130.1	133.7	131.9	126.3	125.0	124.6	125.3	126.6
Unfinished metals associated with durable goods...	212.9	221.5	227.8	233.7	233.4	246.5	253.8	244.6	238.8	239.2	244.2	251.3	262.7
Nonmetals associated with durable goods.....	105.2	105.4	106.0	106.7	107.1	107.4	107.5	107.2	107.5	107.6	107.7	107.9	108.6
Capital goods.....	91.9	91.9	91.9	91.7	91.4	91.5	91.6	91.5	91.4	91.6	91.8	91.9	92.0
Electric and electrical generating equipment.....	111.0	111.3	111.7	111.8	111.0	111.4	111.2	111.4	111.6	112.2	112.7	112.7	113.5
Nonelectrical machinery.....	86.4	86.4	86.2	86.1	85.9	85.9	86.1	86.0	85.8	86.0	86.1	86.3	86.2
Automotive vehicles, parts, and engines.....	108.9	108.8	108.4	108.3	108.2	108.5	108.5	108.5	108.9	109.1	109.3	109.6	110.0
Consumer goods, excluding automotive.....	104.3	104.3	104.4	104.3	104.5	104.5	104.6	104.4	104.2	104.1	104.2	103.7	104.0
Nondurables, manufactured.....	107.9	107.9	108.5	108.5	109.0	109.1	109.2	109.3	109.7	109.9	110.0	109.5	109.8
Durables, manufactured.....	100.9	100.8	100.5	100.3	100.1	100.2	100.3	99.8	99.1	98.6	98.7	98.1	98.4
Nonmanufactured consumer goods.....	101.1	102.1	102.1	102.4	102.5	102.0	103.0	102.4	101.9	103.1	103.0	103.6	103.6

**46. U.S. international price indexes for selected categories of services**

[2000 = 100, unless indicated otherwise]

Category	2008		2009				2010		
	Sept.	Dec.	Mar.	June	Sept.	Dec.	Mar.	June	Sept.
Import air freight.....	157.1	138.5	132.9	132.8	134.8	163.9	158.3	162.5	163.2
Export air freight.....	144.3	135.0	124.1	117.4	121.6	122.9	124.0	126.3	125.7
Import air passenger fares (Dec. 2006 = 100).....	161.3	157.3	134.9	147.3	137.9	152.3	149.8	175.3	160.9
Export air passenger fares (Dec. 2006 = 100).....	171.9	164.6	141.7	138.2	141.3	156.1	157.7	176.3	172.9

**47. Indexes of productivity, hourly compensation, and unit costs, quarterly data seasonally adjusted**

[2005 = 100]

Item	2007		2008				2009				2010		
	III	IV	I	II	III	IV	I	II	III	IV	I	II	III
<b>Business</b>													
Output per hour of all persons.....	103.0	103.8	103.6	103.9	103.6	103.5	104.4	106.5	108.4	110.0	111.0	110.4	111.1
Compensation per hour.....	108.3	109.8	111.0	111.0	112.0	112.2	111.2	113.6	114.6	115.1	114.7	115.5	116.2
Real compensation per hour.....	101.7	101.9	101.8	100.6	99.9	102.5	102.1	103.9	103.9	103.6	102.9	103.8	104.1
Unit labor costs.....	105.1	105.7	107.1	106.8	108.1	108.4	106.5	106.6	105.8	104.6	103.4	104.6	104.6
Unit nonlabor payments.....	107.5	106.5	105.0	108.1	109.6	107.3	110.8	110.0	112.0	113.4	116.0	115.9	117.6
Implicit price deflator.....	106.1	106.1	106.3	107.3	108.7	108.0	108.2	108.0	108.2	108.1	108.4	109.1	109.8
<b>Nonfarm business</b>													
Output per hour of all persons.....	103.0	103.9	103.5	103.8	103.5	103.5	104.3	106.5	108.3	109.9	110.9	110.4	111.0
Compensation per hour.....	108.0	109.7	111.0	110.9	111.9	112.2	111.1	113.6	114.5	115.0	114.7	115.5	116.2
Real compensation per hour.....	101.4	101.8	101.8	100.5	99.8	102.5	102.1	103.9	103.8	103.5	102.9	103.8	104.0
Unit labor costs.....	104.9	105.6	107.2	106.8	108.1	108.4	106.5	106.7	105.8	104.7	103.4	104.7	104.6
Unit nonlabor payments.....	107.4	106.1	104.2	107.5	109.1	107.3	111.2	110.4	112.6	113.5	116.2	116.1	117.6
Implicit price deflator.....	105.8	105.8	106.0	107.1	108.5	108.0	108.4	108.2	108.5	108.2	108.5	109.2	109.7
<b>Nonfinancial corporations</b>													
Output per hour of all employees.....	101.0	103.6	103.6	104.1	105.6	105.7	104.3	105.2	106.5	109.7	112.0	112.0	111.3
Compensation per hour.....	106.4	108.2	108.9	109.4	110.6	111.5	110.5	112.3	113.5	113.9	113.7	114.2	114.9
Real compensation per hour.....	99.9	100.4	99.9	99.1	98.7	101.9	101.5	102.8	102.9	102.5	102.0	102.7	102.8
Total unit costs.....	106.9	106.0	106.7	107.1	107.0	108.4	109.4	109.8	109.0	106.3	104.0	104.1	105.1
Unit labor costs.....	105.4	104.4	105.1	105.2	104.8	105.5	105.9	106.8	106.6	103.8	101.5	102.0	103.2
Unit nonlabor costs.....	110.8	110.1	110.9	112.2	112.9	115.9	118.4	117.6	115.3	112.8	110.4	109.5	110.1
Unit profits.....	94.4	92.1	82.7	80.7	94.4	84.2	83.3	78.5	82.3	89.3	101.1	105.8	108.0
Unit nonlabor payments.....	105.2	103.9	101.2	101.4	106.5	105.0	106.4	104.2	104.0	104.8	107.2	108.2	109.4
Implicit price deflator.....	105.3	104.2	103.7	103.8	105.4	105.3	106.1	105.9	105.6	104.2	103.6	104.3	105.5
<b>Manufacturing</b>													
Output per hour of all persons.....	105.5	106.5	106.3	104.6	104.2	103.5	103.1	104.6	108.8	110.9	111.4	112.9	113.1
Compensation per hour.....	104.8	107.0	107.6	108.5	110.1	112.0	113.1	114.9	115.9	117.1	115.2	116.5	117.0
Real compensation per hour.....	98.4	99.3	98.7	98.3	98.2	102.4	103.9	105.1	105.0	105.4	103.3	104.7	104.7
Unit labor costs.....	99.4	100.5	101.2	103.8	105.7	108.2	109.8	109.9	106.5	105.6	103.4	103.2	103.5

NOTE: Dash indicates data not available.

**48. Annual indexes of multifactor productivity and related measures, selected years**

[2005 = 100, unless otherwise indicated]

Item	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
<b>Private business</b>													
Productivity:													
Output per hour of all persons.....	77.1	79.5	82.3	85.2	87.9	91.9	95.5	98.3	100.0	101.0	102.9	105.0	109.0
Output per unit of capital services.....	107.6	106.4	105.2	103.1	99.2	97.8	98.2	99.8	100.0	100.0	99.3	96.7	92.3
Multifactor productivity.....	86.6	87.9	89.5	91.0	91.7	93.9	96.4	99.0	100.0	100.5	101.0	101.1	101.9
Output.....	75.3	79.2	83.6	87.4	88.2	90.0	92.8	96.7	100.0	103.1	105.5	105.4	101.7
Inputs:													
Labor input.....	95.5	97.7	100.0	101.2	99.5	97.5	97.1	98.1	100.0	102.3	103.5	102.0	95.0
Capital services.....	70.0	74.4	79.5	84.8	89.0	92.0	94.5	96.9	100.0	103.1	106.2	109.1	110.3
Combined units of labor and capital input.....	87.0	90.1	93.4	96.0	96.2	95.8	96.2	97.7	100.0	102.6	104.4	104.3	99.9
Capital per hour of all persons.....	71.7	74.7	78.2	82.6	88.6	94.0	97.3	98.5	100.0	101.0	103.6	108.7	118.2
<b>Private nonfarm business</b>													
Productivity:													
Output per hour of all persons.....	77.6	80.0	82.6	85.4	88.1	92.2	95.7	98.4	100.0	101.0	102.9	105.0	109.0
Output per unit of capital services.....	108.7	107.3	105.9	103.5	99.5	98.0	98.2	99.9	100.0	99.8	98.9	96.1	91.6
Multifactor productivity.....	87.1	88.4	89.9	91.3	91.9	94.2	96.5	99.0	100.0	100.4	100.9	101.0	101.7
Output.....	75.3	79.3	83.7	87.5	88.4	90.1	92.8	96.7	100.0	103.2	105.6	105.5	101.6
Inputs:													
Labor input.....	94.9	97.2	99.8	101.0	99.4	97.4	97.0	98.1	100.0	102.5	103.7	101.9	94.9
Capital services.....	69.3	73.9	79.1	84.5	88.8	91.9	94.5	96.8	100.0	103.4	106.8	109.7	111.0
Combined units of labor and capital input.....	86.5	89.7	93.2	95.8	96.1	95.7	96.2	97.7	100.0	102.8	104.7	104.4	100.0
Capital per hour of all persons.....	71.4	74.5	78.0	82.5	88.6	94.1	97.4	98.5	100.0	101.2	104.0	109.3	119.1
<b>Manufacturing [1996 = 100]</b>													
Productivity:													
Output per hour of all persons.....	69.5	73.3	77.0	80.4	81.9	87.9	93.4	95.5	100.0	100.8	105.0	104.7	—
Output per unit of capital services.....	101.2	101.7	102.1	102.3	95.9	94.6	95.3	97.2	100.0	100.6	101.9	96.4	—
Multifactor productivity.....	104.6	107.3	110.5	110.0	105.9	102.3	99.8	97.9	100.0	99.3	96.8	93.2	—
Output.....	87.4	92.1	95.9	98.9	94.2	93.9	94.9	96.6	100.0	101.5	104.0	99.4	—
Inputs:													
Hours of all persons.....	125.8	125.5	124.7	123.1	115.0	106.9	101.6	101.1	100.0	100.7	99.0	95.0	—
Capital services.....	86.4	90.5	93.9	96.7	98.3	99.2	99.6	99.3	100.0	100.9	102.1	103.2	—
Energy.....	68.7	72.1	75.4	78.6	85.4	92.9	98.0	98.3	100.0	100.2	103.1	108.6	—
Nonenergy materials.....	92.4	95.4	117.7	128.4	140.3	108.6	97.0	90.8	100.0	92.2	97.7	95.2	—
Purchased business services.....	96.1	102.3	108.7	106.7	100.0	101.0	99.3	98.5	100.0	98.3	91.3	86.4	—
Combined units of all factor inputs.....	104.5	104.1	105.1	103.7	102.0	98.7	98.1	91.8	100.0	98.4	97.6	92.3	—

NOTE: Dash indicates data not available.

#### 49. Annual indexes of productivity, hourly compensation, unit costs, and prices, selected years

[2005 = 100]

Item	1964	1974	1984	1994	2001	2002	2003	2004	2005	2006	2007	2008	2009
<b>Business</b>													
Output per hour of all persons.....	41.6	52.9	62.4	74.0	88.1	92.1	95.6	98.4	100.0	100.9	102.5	103.6	107.3
Compensation per hour.....	9.9	19.4	42.1	63.4	86.1	88.8	93.0	96.2	100.0	103.8	108.1	111.5	113.6
Real compensation per hour.....	57.0	70.1	75.4	82.6	95.0	96.3	98.7	99.5	100.0	100.5	101.8	101.1	103.4
Unit labor costs.....	23.8	36.7	67.5	85.7	97.7	96.4	97.3	97.8	100.0	102.8	105.4	107.6	105.9
Unit nonlabor payments.....	20.6	30.1	61.0	80.5	84.2	88.0	90.0	95.4	100.0	103.1	106.0	107.5	111.6
Implicit price deflator.....	22.5	34.1	64.9	83.6	92.4	93.1	94.4	96.9	100.0	102.9	105.7	107.6	108.1
<b>Nonfarm business</b>													
Output per hour of all persons.....	44.0	54.8	63.5	74.7	88.4	92.4	95.7	98.4	100.0	100.9	102.5	103.6	107.2
Compensation per hour.....	10.2	19.7	42.6	63.9	86.2	88.9	93.1	96.2	100.0	103.8	107.9	111.5	113.5
Real compensation per hour.....	58.7	71.0	76.2	83.2	95.0	96.5	98.8	99.4	100.0	100.5	101.6	101.1	103.3
Unit labor costs.....	23.3	35.9	67.0	85.6	97.5	96.2	97.2	97.8	100.0	102.8	105.3	107.6	105.9
Unit nonlabor payments.....	20.3	28.3	59.5	79.8	84.3	88.4	89.9	94.8	100.0	103.3	105.8	107.0	111.9
Implicit price deflator.....	22.1	32.9	64.1	83.3	92.3	93.1	94.3	96.6	100.0	103.0	105.5	107.4	108.3
<b>Nonfinancial corporations</b>													
Output per hour of all employees.....	44.4	51.9	62.1	72.7	87.7	90.9	94.4	97.5	100.0	101.4	102.0	104.7	106.4
Compensation per hour.....	11.7	21.9	46.1	66.7	88.3	90.7	94.7	96.9	100.0	102.8	106.4	110.1	112.5
Real compensation per hour.....	67.4	78.9	82.5	86.8	97.4	98.4	100.6	100.2	100.0	99.6	100.2	99.8	102.4
Total unit costs.....	24.8	40.4	73.2	90.3	99.7	99.3	99.6	98.6	100.0	101.9	105.6	107.3	108.6
Unit labor costs.....	26.4	42.1	74.2	91.8	100.7	99.8	100.4	99.4	100.0	101.4	104.3	105.1	105.8
Unit nonlabor costs.....	20.7	35.8	70.5	86.4	97.3	97.9	97.7	96.5	100.0	103.1	108.8	112.9	116.0
Unit profits.....	36.4	29.5	66.0	83.2	52.2	60.0	66.6	88.6	100.0	111.7	99.7	85.5	83.4
Unit nonlabor payments.....	26.1	33.6	69.0	85.3	81.8	84.9	87.0	93.8	100.0	106.0	105.7	103.5	104.8
Implicit price deflator.....	26.3	39.0	72.3	89.4	93.7	94.3	95.4	97.3	100.0	103.1	104.8	104.5	105.4
<b>Manufacturing</b>													
Output per hour of all persons.....	—	—	—	60.8	81.9	87.8	93.4	95.5	100.0	100.8	105.0	104.7	106.8
Compensation per hour.....	—	—	—	64.2	84.3	88.9	96.0	96.8	100.0	102.0	105.3	109.5	115.2
Real compensation per hour.....	—	—	—	83.7	92.9	96.5	101.9	100.0	100.0	98.8	99.2	99.3	104.9
Unit labor costs.....	—	—	—	105.6	102.9	101.2	102.8	101.4	100.0	101.2	100.3	104.6	107.9
Unit nonlabor payments.....	—	—	—	84.1	83.9	83.4	84.9	91.3	100.0	104.4	107.6	116.0	—
Implicit price deflator.....	—	—	—	90.0	89.1	88.2	89.8	94.1	100.0	103.6	105.6	112.9	—

Dash indicates data not available.

**50. Annual indexes of output per hour for selected NAICS industries**

[2002=100]

NAICS	Industry	1987	1997	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
<b>Mining</b>													
21	Mining.....	75.0	88.3	97.8	94.9	100.0	102.8	94.0	85.0	77.0	71.2	69.0	-
211	Oil and gas extraction.....	64.9	81.0	96.7	96.6	100.0	105.9	90.0	86.6	80.9	78.7	71.6	-
2111	Oil and gas extraction.....	64.9	81.0	96.7	96.6	100.0	105.9	90.0	86.6	80.9	78.7	71.6	-
212	Mining, except oil and gas.....	62.3	90.2	95.3	98.5	100.0	102.8	104.9	104.3	101.1	94.4	93.7	-
2121	Coal mining.....	51.7	89.7	103.9	102.5	100.0	101.7	101.6	96.7	89.5	90.6	85.4	-
2122	Metal ore mining.....	50.5	72.1	85.7	93.8	100.0	103.3	101.5	97.2	90.7	77.0	74.4	-
2123	Nonmetallic mineral mining and quarrying.....	84.3	96.0	92.1	96.5	100.0	104.3	109.4	115.2	116.8	103.8	103.9	-
213	Support activities for mining.....	76.1	97.0	99.7	104.5	100.0	121.9	141.6	104.1	87.1	117.7	145.7	-
2131	Support activities for mining.....	76.1	97.0	99.7	104.5	100.0	121.9	141.6	104.1	87.1	117.7	145.7	-
<b>Utilities</b>													
2211	Power generation and supply.....	63.7	97.2	103.9	103.4	100.0	102.1	104.4	111.1	112.1	110.1	105.6	-
2212	Natural gas distribution.....	58.7	86.6	98.1	95.4	100.0	98.9	102.5	105.9	103.2	103.8	104.6	-
<b>Manufacturing</b>													
311	Food.....	81.0	86.9	93.5	95.4	100.0	101.5	101.0	106.2	104.1	101.9	101.4	-
3111	Animal food.....	58.6	70.4	77.0	92.0	100.0	117.7	104.6	119.5	108.2	110.2	103.5	-
3112	Grain and oilseed milling.....	66.0	80.8	91.7	97.3	100.0	100.5	104.9	106.6	102.3	105.6	101.8	-
3113	Sugar and confectionery products.....	80.4	92.5	102.3	100.3	100.0	100.4	107.3	120.4	113.5	103.4	95.5	-
3114	Fruit and vegetable preserving and specialty.....	73.1	78.7	88.7	95.7	100.0	97.2	99.5	103.3	98.0	105.5	103.1	-
3115	Dairy products.....	77.4	94.4	89.6	92.2	100.0	104.0	101.8	101.8	100.7	100.6	108.6	-
3116	Animal slaughtering and processing.....	90.1	93.0	95.7	96.0	100.0	99.9	100.4	109.7	109.4	106.3	109.0	-
3117	Seafood product preparation and packaging.....	72.5	58.9	82.7	89.8	100.0	101.8	96.5	110.5	122.0	100.7	87.8	-
3118	Bakeries and tortilla manufacturing.....	85.5	87.5	96.6	98.4	100.0	97.9	100.1	104.3	103.8	101.4	93.8	-
3119	Other food products.....	87.5	89.7	100.8	94.5	100.0	104.8	106.1	102.9	102.8	95.1	96.4	-
312	Beverages and tobacco products.....	94.3	121.1	106.7	108.3	100.0	111.4	114.7	120.8	113.1	110.1	107.4	-
3121	Beverages.....	77.2	100.5	91.1	93.1	100.0	110.8	115.4	120.9	112.6	113.4	113.6	-
3122	Tobacco and tobacco products.....	107.2	149.3	143.0	146.6	100.0	116.7	121.5	136.5	138.1	137.7	119.8	-
313	Textile mills.....	59.8	81.3	86.3	89.4	100.0	111.1	113.0	122.9	122.2	126.0	124.0	-
3131	Fiber, yarn, and thread mills.....	50.0	75.2	75.6	82.5	100.0	112.1	116.7	108.8	105.5	116.4	117.9	-
3132	Fabric mills.....	56.0	82.5	90.2	91.4	100.0	114.0	115.3	133.0	140.7	143.2	150.8	-
3133	Textile and fabric finishing mills.....	76.5	83.6	87.2	91.0	100.0	104.1	104.5	113.3	102.4	101.2	86.4	-
314	Textile product mills.....	82.0	91.3	101.2	97.7	100.0	102.8	115.1	121.3	111.2	100.3	97.2	-
3141	Textile furnishings mills.....	85.7	94.1	100.2	97.9	100.0	105.7	115.3	119.1	108.4	101.9	99.2	-
3149	Other textile product mills.....	78.8	93.2	105.9	99.0	100.0	98.1	116.4	128.3	120.9	104.9	104.5	-
315	Apparel.....	73.1	100.3	116.9	117.2	100.0	106.7	94.2	94.4	86.0	56.5	55.4	-
3151	Apparel knitting mills.....	71.3	92.8	100.4	97.3	100.0	93.2	83.7	97.8	97.7	65.1	62.9	-
3152	Cut and sew apparel.....	70.4	99.6	119.2	119.7	100.0	109.7	96.4	91.9	82.4	52.9	52.1	-
3159	Accessories and other apparel.....	129.9	132.2	129.8	137.4	100.0	105.8	95.8	109.8	96.3	74.0	74.0	-
316	Leather and allied products.....	83.9	119.1	133.8	138.5	100.0	104.9	128.4	129.4	133.7	128.8	133.4	-
3161	Leather and hide tanning and finishing.....	138.4	153.7	135.8	140.1	100.0	103.1	135.7	142.4	127.8	165.0	160.6	-
3162	Footwear.....	77.3	99.3	123.8	132.9	100.0	105.9	110.0	115.9	122.4	110.7	130.8	-
3169	Other leather products.....	116.7	134.7	142.6	140.2	100.0	109.2	163.7	160.8	182.3	166.6	158.6	-
321	Wood products.....	83.1	87.5	90.2	91.7	100.0	101.6	102.2	107.6	110.9	111.9	109.6	-
3211	Sawmills and wood preservation.....	67.3	86.9	90.9	90.6	100.0	108.3	103.9	108.3	113.4	108.4	112.2	-
3212	Plywood and engineered wood products.....	90.3	90.4	89.6	95.1	100.0	96.7	92.3	99.6	105.5	109.0	104.7	-
3219	Other wood products.....	89.9	87.3	90.4	90.9	100.0	100.7	106.5	111.5	113.2	116.5	112.5	-
322	Paper and paper products.....	75.5	87.9	93.5	93.8	100.0	104.4	108.1	108.6	109.9	114.0	113.4	-
3221	Pulp, paper, and paperboard mills.....	61.9	75.6	88.2	90.4	100.0	106.2	110.4	110.2	110.9	114.0	114.6	-
3222	Converted paper products.....	84.4	94.8	96.0	95.3	100.0	104.0	107.5	108.8	110.5	115.7	114.3	-
323	Printing and related support activities.....	87.6	88.8	94.8	95.1	100.0	100.3	103.7	109.1	111.7	117.4	119.1	-
3231	Printing and related support activities.....	87.6	88.8	94.8	95.1	100.0	100.3	103.7	109.1	111.7	117.4	119.1	-
324	Petroleum and coal products.....	60.8	85.6	96.8	94.9	100.0	102.0	105.9	106.2	104.3	106.3	103.2	-
3241	Petroleum and coal products.....	60.8	85.6	96.8	94.9	100.0	102.0	105.9	106.2	104.3	106.3	103.2	-
325	Chemicals.....	75.0	87.4	92.9	91.9	100.0	101.3	105.3	109.4	109.1	116.3	108.5	-
3251	Basic chemicals.....	76.1	80.2	94.6	87.6	100.0	108.5	121.8	129.6	134.1	156.0	132.4	-
3252	Resin, rubber, and artificial fibers.....	62.9	81.2	89.0	86.3	100.0	97.7	97.3	103.4	105.5	108.1	98.9	-
3253	Agricultural chemicals.....	80.8	100.6	92.8	89.9	100.0	110.4	121.0	139.2	134.7	140.0	138.5	-
3254	Pharmaceuticals and medicines.....	89.6	102.8	98.3	101.8	100.0	103.0	103.6	107.0	107.5	104.2	102.8	-
3255	Paints, coatings, and adhesives.....	81.6	91.4	90.5	97.3	100.0	106.1	109.7	111.2	106.7	105.5	101.3	-
3256	Soap, cleaning compounds, and toiletries.....	68.2	80.4	82.3	84.6	100.0	92.8	102.6	110.2	111.5	135.2	127.7	-
3259	Other chemical products and preparations.....	62.3	82.6	98.1	90.9	100.0	98.6	96.2	96.0	91.5	102.3	103.1	-
326	Plastics and rubber products.....	67.3	82.7	91.1	92.8	100.0	103.8	105.9	108.7	108.6	107.9	102.2	-
3261	Plastics products.....	67.3	80.8	90.7	92.4	100.0	103.9	105.8	108.5	106.8	105.1	100.0	-
3262	Rubber products.....	71.3	93.2	94.8	95.5	100.0	103.5	106.4	109.4	114.2	118.8	109.8	-
327	Nonmetallic mineral products.....	83.6	95.1	98.6	95.6	100.0	107.1	105.3	111.6	110.7	112.7	107.6	-
3271	Clay products and refractories.....	90.6	102.7	108.5	99.1	100.0	109.5	116.0	122.0	122.2	119.9	118.2	-

50. Continued - Annual indexes of output per hour for selected NAICS industries

[2002=100]

NAICS	Industry	1987	1997	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
3272	Glass and glass products.....	75.6	91.1	100.2	94.1	100.0	106.7	105.7	111.8	119.2	119.0	114.2	-
3273	Cement and concrete products.....	90.5	97.0	99.3	95.5	100.0	106.3	101.0	104.6	101.6	106.5	99.0	-
3274	Lime and gypsum products.....	89.3	101.2	99.8	103.1	100.0	109.3	107.2	121.9	119.3	112.6	110.6	-
3279	Other nonmetallic mineral products.....	79.4	94.9	90.3	95.2	100.0	105.7	106.8	118.5	112.8	111.8	113.2	-
331	Primary metals.....	70.4	86.9	88.0	87.6	100.0	101.5	113.3	114.3	112.5	116.2	121.9	-
3311	Iron and steel mills and ferroalloy production.....	51.9	80.1	84.6	83.6	100.0	106.1	136.5	134.1	138.0	139.1	151.0	-
3312	Steel products from purchased steel.....	81.9	102.9	99.1	101.3	100.0	91.2	81.5	76.1	68.0	70.7	67.4	-
3313	Alumina and aluminum production.....	72.7	80.3	77.5	77.2	100.0	101.8	110.5	125.3	123.2	123.9	122.0	-
3314	Other nonferrous metal production.....	90.8	93.7	96.2	93.4	100.0	108.7	109.4	105.7	94.8	117.7	123.1	-
3315	Foundries.....	69.4	85.5	88.7	91.2	100.0	100.4	106.8	111.4	114.1	112.3	104.3	-
332	Fabricated metal products.....	78.3	90.1	94.7	94.5	100.0	102.7	101.4	104.3	106.2	108.8	110.3	-
3321	Forging and stamping.....	68.8	80.4	97.8	97.3	100.0	106.6	112.3	116.2	118.1	124.2	124.4	-
3322	Cutlery and handtools.....	76.1	88.1	93.4	97.3	100.0	99.2	90.9	95.4	97.2	105.4	102.0	-
3323	Architectural and structural metals.....	83.5	94.0	95.6	95.5	100.0	103.4	98.7	103.5	106.5	107.0	106.1	-
3324	Boilers, tanks, and shipping containers.....	86.7	100.6	95.2	95.0	100.0	103.7	96.0	99.3	101.0	104.7	102.5	-
3325	Hardware.....	77.0	86.8	99.4	98.4	100.0	105.7	104.4	106.7	107.1	93.0	100.2	-
3326	Spring and wire products.....	65.4	79.6	89.7	89.0	100.0	106.0	104.4	111.0	110.7	111.5	116.3	-
3327	Machine shops and threaded products.....	65.2	87.2	94.9	95.3	100.0	100.4	101.6	100.9	102.0	105.3	109.2	-
3328	Coating, engraving, and heat treating metals.....	64.1	85.7	89.4	92.5	100.0	100.2	105.9	117.6	115.2	117.9	119.3	-
3329	Other fabricated metal products.....	85.5	93.9	93.9	90.6	100.0	104.5	104.8	106.5	111.1	116.7	121.5	-
333	Machinery.....	70.0	85.8	95.7	93.7	100.0	107.7	108.7	114.7	117.9	119.8	118.1	-
3331	Agriculture, construction, and mining machinery.....	69.1	96.1	96.1	95.3	100.0	112.3	120.8	124.0	125.1	125.6	128.4	-
3332	Industrial machinery.....	63.4	84.8	109.9	89.6	100.0	98.9	107.3	105.3	116.3	117.0	105.7	-
3333	Commercial and service industry machinery.....	88.9	102.1	102.9	97.1	100.0	107.5	109.6	118.4	127.4	115.7	122.9	-
3334	HVAC and commercial refrigeration equipment.....	70.6	84.1	90.8	93.3	100.0	109.6	112.0	116.1	113.1	109.8	109.2	-
3335	Metalworking machinery.....	75.8	89.6	96.2	94.2	100.0	103.9	102.9	110.9	111.8	118.2	118.3	-
3336	Turbine and power transmission equipment.....	61.5	76.6	88.1	97.3	100.0	110.5	96.6	101.0	96.9	96.7	94.0	-
3339	Other general purpose machinery.....	70.5	84.7	96.1	93.5	100.0	108.2	107.6	117.7	122.2	127.4	121.9	-
334	Computer and electronic products.....	15.1	53.0	96.2	96.3	100.0	114.0	127.3	133.9	144.7	159.9	170.6	-
3341	Computer and peripheral equipment.....	3.7	33.5	78.4	84.4	100.0	121.5	133.9	172.7	233.1	292.4	388.4	-
3342	Communications equipment.....	31.2	78.2	128.4	120.1	100.0	113.4	122.0	118.5	146.3	146.2	139.3	-
3343	Audio and video equipment.....	41.6	67.0	84.9	86.7	100.0	112.6	155.8	149.2	147.1	110.8	93.5	-
3344	Semiconductors and electronic components.....	6.4	37.8	87.5	87.1	100.0	121.0	133.8	140.7	137.7	160.1	167.1	-
3345	Electronic instruments.....	59.3	84.4	98.4	100.4	100.0	106.1	122.4	124.4	128.8	142.9	146.1	-
3346	Magnetic media manufacturing and reproduction.....	77.0	89.7	93.3	88.7	100.0	114.5	128.8	129.7	124.9	132.7	158.3	-
335	Electrical equipment and appliances.....	66.0	88.1	98.3	98.2	100.0	103.5	109.2	114.3	114.7	118.3	115.0	-
3351	Electric lighting equipment.....	80.6	88.6	90.2	94.3	100.0	98.5	108.1	112.7	121.6	122.5	125.0	-
3352	Household appliances.....	53.5	76.0	89.3	94.9	100.0	111.6	121.2	124.6	129.7	126.8	121.9	-
3353	Electrical equipment.....	67.3	98.1	97.5	98.9	100.0	102.1	110.7	117.9	119.7	126.0	120.7	-
3359	Other electrical equipment and components.....	68.7	87.3	104.7	99.0	100.0	102.0	101.8	106.3	101.5	107.3	104.8	-
336	Transportation equipment.....	65.5	78.7	85.7	89.2	100.0	109.0	108.3	113.8	114.8	125.5	118.6	-
3361	Motor vehicles.....	60.4	79.5	87.1	87.3	100.0	112.0	113.2	118.5	130.6	135.1	122.5	-
3362	Motor vehicle bodies and trailers.....	81.0	95.2	93.7	84.2	100.0	103.8	104.8	107.8	103.3	111.7	105.3	-
3363	Motor vehicle parts.....	60.3	76.9	86.1	88.1	100.0	104.8	105.5	109.8	108.4	114.3	108.9	-
3364	Aerospace products and parts.....	73.5	84.2	86.9	97.4	100.0	99.2	93.9	102.6	97.3	115.2	104.7	-
3365	Railroad rolling stock.....	38.0	68.5	81.1	86.3	100.0	94.1	87.2	88.4	95.2	94.9	110.7	-
3366	Ship and boat building.....	73.3	76.6	94.4	93.3	100.0	103.7	106.8	102.4	97.8	101.7	114.8	-
3369	Other transportation equipment.....	48.7	65.5	83.3	83.4	100.0	110.0	110.4	112.8	122.9	187.0	194.1	-
337	Furniture and related products.....	75.9	88.7	91.3	92.0	100.0	102.0	103.3	107.5	109.2	108.2	112.3	-
3371	Household and institutional furniture.....	77.3	89.3	92.7	94.7	100.0	101.1	100.8	105.9	109.7	108.2	113.3	-
3372	Office furniture and fixtures.....	74.0	86.3	86.9	84.7	100.0	106.3	110.4	112.4	107.2	105.7	106.6	-
3379	Other furniture related products.....	77.4	89.6	90.2	94.8	100.0	99.4	109.4	115.5	120.5	121.4	124.4	-
339	Miscellaneous manufacturing.....	64.5	79.3	92.6	94.0	100.0	106.9	106.4	114.8	118.4	117.4	119.3	-
3391	Medical equipment and supplies.....	57.7	76.6	90.3	93.8	100.0	107.6	108.6	116.2	117.8	118.3	121.5	-
3399	Other miscellaneous manufacturing.....	71.8	83.1	96.0	94.7	100.0	105.8	104.6	113.0	117.8	114.7	114.0	-
<b>Wholesale trade</b>													
42	Wholesale trade.....	59.2	80.9	94.4	95.4	100.0	103.9	109.2	110.0	111.5	111.0	108.5	104.9
423	Durable goods.....	44.1	70.8	88.8	91.8	100.0	105.2	116.4	120.7	124.7	124.1	121.5	113.5
4231	Motor vehicles and parts.....	55.9	75.0	87.5	90.0	100.0	103.0	107.2	109.3	116.9	112.4	98.9	84.4
4232	Furniture and furnishings.....	69.5	86.3	97.0	95.5	100.0	109.6	117.5	117.2	123.1	117.6	99.5	102.4
4233	Lumber and construction supplies.....	88.0	80.6	86.9	94.1	100.0	108.7	115.1	117.4	115.0	112.3	110.2	100.9
4234	Commercial equipment.....	10.0	35.9	67.1	81.4	100.0	113.3	133.7	150.7	164.2	176.7	193.0	196.5
4235	Metals and minerals.....	105.4	103.7	97.3	97.7	100.0	102.3	112.2	110.0	106.1	98.7	89.8	79.9
4236	Electric goods.....	26.8	62.6	95.7	92.5	100.0	105.1	124.5	131.8	142.6	151.5	151.5	155.0
4237	Hardware and plumbing.....	80.2	97.6	101.1	98.0	100.0	105.3	112.3	114.2	119.3	119.0	112.3	102.3
4238	Machinery and supplies.....	73.9	99.8	105.2	102.6	100.0	102.9	111.8	119.5	122.0	116.0	120.3	103.7

## 50. Continued - Annual indexes of output per hour for selected NAICS industries

[2002=100]

NAICS	Industry	1987	1997	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
4239	Miscellaneous durable goods.....	72.2	80.5	91.9	93.1	100.0	97.2	110.7	105.4	97.6	93.6	92.6	89.2
424	Nondurable goods.....	85.7	94.1	99.4	99.3	100.0	104.9	108.3	109.3	107.2	106.7	104.8	105.5
4241	Paper and paper products.....	73.6	85.9	86.5	89.7	100.0	101.9	110.7	117.2	112.5	121.0	107.5	106.1
4242	Druggists' goods.....	78.7	111.3	95.7	94.6	100.0	112.0	118.7	126.6	125.4	117.3	120.5	131.1
4243	Apparel and piece goods.....	70.3	81.5	88.7	93.9	100.0	104.4	110.7	121.2	124.1	126.3	125.3	130.9
4244	Grocery and related products.....	89.3	101.6	103.9	103.4	100.0	106.7	106.4	106.3	106.4	108.6	105.1	105.2
4245	Farm product raw materials.....	82.3	100.8	106.7	104.3	100.0	96.4	103.4	100.0	102.3	100.8	103.5	112.0
4246	Chemicals.....	92.9	102.7	95.5	94.1	100.0	104.6	104.6	99.1	93.4	99.4	99.7	89.1
4247	Petroleum.....	55.7	66.0	92.0	92.0	100.0	101.9	113.4	109.5	104.8	99.6	97.9	92.5
4248	Alcoholic beverages.....	92.9	93.6	101.5	99.6	100.0	101.2	97.1	98.1	101.1	102.2	96.3	98.4
4249	Miscellaneous nondurable goods.....	105.2	94.6	108.7	105.5	100.0	102.0	110.9	113.1	110.4	103.8	100.0	105.5
425	Electronic markets and agents and brokers.....	60.2	93.7	110.5	101.9	100.0	95.4	81.4	71.6	76.4	77.4	73.1	68.2
4251	Electronic markets and agents and brokers.....	60.2	93.7	110.5	101.9	100.0	95.4	81.4	71.6	76.4	77.4	73.1	68.2
	<b>Retail trade</b>												
44-45	Retail trade.....	63.1	79.6	92.5	95.6	100.0	104.9	110.1	112.7	116.8	120.0	117.6	119.3
441	Motor vehicle and parts dealers.....	65.4	83.4	95.3	96.7	100.0	103.8	106.6	106.1	108.1	109.5	99.3	97.6
4411	Automobile dealers.....	67.6	85.3	97.0	98.5	100.0	102.2	107.0	106.3	108.1	110.5	100.7	99.7
4412	Other motor vehicle dealers.....	55.4	74.8	86.2	93.2	100.0	99.6	105.8	98.7	103.7	103.2	97.3	111.0
4413	Auto parts, accessories, and tire stores.....	66.7	92.9	100.7	94.1	100.0	106.8	102.0	106.1	105.4	103.2	99.1	96.6
442	Furniture and home furnishings stores.....	58.1	77.4	89.7	94.7	100.0	103.5	112.1	113.8	117.2	123.1	125.0	132.8
4421	Furniture stores.....	61.8	79.9	89.5	95.6	100.0	102.4	110.0	111.5	116.8	119.5	118.7	123.6
4422	Home furnishings stores.....	53.0	74.1	89.7	93.5	100.0	105.0	114.5	116.4	118.1	127.4	132.4	143.8
443	Electronics and appliance stores.....	16.3	42.8	74.4	84.2	100.0	125.5	143.3	158.4	177.0	199.7	232.5	264.5
4431	Electronics and appliance stores.....	16.3	42.8	74.4	84.2	100.0	125.5	143.3	158.4	177.0	199.7	232.5	264.5
444	Building material and garden supply stores.....	62.8	82.8	93.7	96.7	100.0	105.1	110.9	110.0	111.0	112.2	112.0	107.3
4441	Building material and supplies dealers.....	64.0	82.5	94.9	96.2	100.0	105.1	110.4	110.6	111.5	111.0	108.8	102.9
4442	Lawn and garden equipment and supplies stores.....	56.6	84.6	87.2	100.1	100.0	104.7	114.7	105.5	106.8	121.8	138.6	142.5
445	Food and beverage stores.....	105.9	95.5	96.5	99.1	100.0	101.9	106.9	111.1	113.3	115.6	112.7	114.8
4451	Grocery stores.....	106.1	95.5	96.5	98.6	100.0	101.5	106.2	110.1	111.1	112.8	110.0	111.6
4452	Specialty food stores.....	131.5	95.0	93.6	102.8	100.0	105.1	111.3	113.8	123.9	130.9	127.9	145.7
4453	Beer, wine, and liquor stores.....	85.0	90.8	96.0	97.2	100.0	106.1	115.7	126.5	131.2	139.1	130.7	131.0
446	Health and personal care stores.....	68.4	81.3	91.3	94.6	100.0	105.5	109.7	109.2	112.7	112.5	112.8	116.5
4461	Health and personal care stores.....	68.4	81.3	91.3	94.6	100.0	105.5	109.7	109.2	112.7	112.5	112.8	116.5
447	Gasoline stations.....	67.1	79.9	86.1	90.2	100.0	96.4	98.4	99.8	99.4	102.4	101.4	101.0
4471	Gasoline stations.....	67.1	79.9	86.1	90.2	100.0	96.4	98.4	99.8	99.4	102.4	101.4	101.0
448	Clothing and clothing accessories stores.....	50.5	76.2	94.1	96.3	100.0	105.9	106.1	112.5	122.8	132.3	138.0	137.7
4481	Clothing stores.....	49.4	73.6	91.9	95.8	100.0	104.3	103.6	112.3	123.0	134.1	144.7	145.9
4482	Shoe stores.....	52.2	79.9	87.9	89.0	100.0	105.7	99.5	105.4	116.2	114.5	115.5	107.9
4483	Jewelry, luggage, and leather goods stores.....	54.4	84.3	110.0	104.4	100.0	112.3	122.4	118.2	125.9	137.3	126.3	127.2
451	Sporting goods, hobby, book, and music stores.....	58.7	78.4	94.9	99.6	100.0	103.0	118.0	127.3	131.7	128.1	127.6	141.0
4511	Sporting goods and musical instrument stores.....	53.8	73.5	95.1	98.9	100.0	103.5	121.5	132.0	140.4	136.5	134.4	149.8
4512	Book, periodical, and music stores.....	70.7	89.6	94.7	101.2	100.0	101.9	110.4	117.1	113.1	109.5	112.3	121.4
452	General merchandise stores.....	57.0	77.4	93.2	96.7	100.0	106.3	109.7	113.5	117.3	118.4	117.4	120.4
4521	Department stores.....	86.0	97.9	104.0	101.6	100.0	104.3	107.8	109.2	111.8	105.2	101.9	100.5
4529	Other general merchandise stores.....	30.5	55.8	82.4	92.2	100.0	106.4	108.0	112.4	115.5	122.4	121.3	126.1
453	Miscellaneous store retailers.....	54.7	84.0	95.8	94.6	100.0	105.4	108.8	115.0	126.2	130.1	130.0	129.4
4531	Florists.....	68.2	87.9	101.3	90.3	100.0	99.7	97.3	112.6	126.1	113.6	130.9	151.8
4532	Office supplies, stationery and gift stores.....	43.4	70.7	89.9	93.5	100.0	108.7	121.9	129.0	143.7	152.1	153.3	169.8
4533	Used merchandise stores.....	45.4	70.4	82.0	85.8	100.0	103.9	104.5	105.9	111.6	123.0	135.4	128.7
4539	Other miscellaneous store retailers.....	72.4	106.0	110.6	102.7	100.0	104.4	100.5	104.3	115.6	118.2	109.3	100.1
454	Nonstore retailers.....	27.9	54.9	83.6	89.9	100.0	108.6	121.1	126.2	148.8	163.3	167.7	179.6
4541	Electronic shopping and mail-order houses.....	18.5	47.0	75.3	84.4	100.0	116.9	133.4	145.2	175.5	196.1	187.4	197.2
4542	Vending machine operators.....	104.6	109.6	121.7	104.9	100.0	118.2	121.0	118.1	122.7	115.8	136.5	123.9
4543	Direct selling establishments.....	52.4	74.0	90.7	94.7	100.0	93.0	95.1	87.7	94.3	97.9	102.9	113.6
	<b>Transportation and warehousing</b>												
481	Air transportation.....	76.7	98.3	96.0	91.0	100.0	110.2	124.2	133.6	140.5	142.3	140.4	-
482111	Line-haul railroads.....	43.8	74.4	85.0	90.6	100.0	105.0	107.2	103.3	109.3	104.4	103.3	-
4841	General freight trucking.....	-	89.9	95.7	97.3	100.0	103.3	101.8	103.6	104.5	104.9	105.2	-
48411	General freight trucking, local.....	-	74.7	96.2	99.4	100.0	105.7	100.4	103.3	108.9	105.7	105.6	-
48412	General freight trucking, long-distance.....	80.1	93.5	95.3	96.4	100.0	102.8	102.0	103.7	102.9	104.4	104.2	-
48421	Used household and office goods moving.....	130.9	122.6	116.2	102.9	100.0	104.7	106.5	105.4	105.0	108.2	115.2	-
491	U.S. Postal service.....	85.4	94.0	99.1	99.8	100.0	101.3	103.4	104.5	104.5	105.3	103.8	-
4911	U.S. Postal service.....	85.4	94.0	99.1	99.8	100.0	101.3	103.4	104.5	104.5	105.3	103.8	-
492	Couriers and messengers.....	103.6	69.8	90.0	92.6	100.0	102.9	97.9	97.0	100.2	95.6	100.2	-
493	Warehousing and storage.....	-	81.9	89.5	94.4	100.0	103.0	101.6	101.1	97.6	95.2	95.4	-
4931	Warehousing and storage.....	-	81.9	89.5	94.4	100.0	103.0	101.6	101.1	97.6	95.2	95.4	-



50. Continued - Annual indexes of output per hour for selected NAICS industries

[2002=100]

NAICS	Industry	1987	1997	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
49311	General warehousing and storage.....		73.5	85.1	92.8	100.0	104.0	99.8	101.3	100.6	98.0	98.2	-
49312	Refrigerated warehousing and storage.....		114.7	109.4	98.0	100.0	106.1	114.5	102.6	93.1	99.4	102.4	-
<b>Information</b>													
511	Publishing industries, except internet.....	54.7	85.3	99.9	99.5	100.0	106.6	107.2	109.5	114.4	117.0	119.0	-
5111	Newspaper, book, and directory publishers.....	100.3	95.6	102.9	101.1	100.0	104.2	98.0	97.6	101.3	102.2	100.1	-
5112	Software publishers.....	8.3	81.9	97.7	96.2	100.0	110.9	126.4	132.3	134.0	135.1	141.0	-
51213	Motion picture and video exhibition.....	90.9	100.2	106.7	101.8	100.0	102.5	107.6	108.2	115.2	121.0	117.0	-
515	Broadcasting, except internet.....	95.7	96.2	99.6	95.5	100.0	103.3	108.1	112.4	119.8	130.0	133.1	-
5151	Radio and television broadcasting.....	103.2	105.2	96.9	94.2	100.0	98.9	100.5	102.4	109.7	112.8	112.8	-
5152	Cable and other subscription programming.....	81.3	77.0	108.7	98.7	100.0	112.1	123.9	131.0	137.9	160.8	170.9	-
5171	Wired telecommunications carriers.....	51.8	84.5	94.9	92.0	100.0	105.7	110.4	112.3	116.6	122.8	126.7	-
5172	Wireless telecommunications carriers.....	34.7	45.9	70.1	88.0	100.0	110.5	132.3	171.7	185.1	195.1	231.9	-
<b>Finance and insurance</b>													
52211	Commercial banking.....	54.2	96.9	99.4	97.8	100.0	101.8	105.9	105.9	109.8	110.5	110.7	-
<b>Real estate and rental and leasing</b>													
532111	Passenger car rental.....	80.9	87.3	98.0	97.0	100.0	105.3	102.5	94.8	95.8	111.7	117.1	-
53212	Truck, trailer, and RV rental and leasing.....	52.9	87.7	106.8	99.6	100.0	98.1	111.3	114.0	124.2	119.9	114.3	-
53223	Video tape and disc rental.....	59.1	76.7	103.5	102.3	100.0	112.6	115.1	104.6	123.6	151.3	140.9	-
<b>Professional and technical services</b>													
541213	Tax preparation services.....	74.4	89.8	90.6	84.8	100.0	95.8	84.3	84.7	81.4	89.9	86.9	-
54131	Architectural services.....	83.7	92.9	100.0	103.2	100.0	103.6	108.3	108.3	106.2	109.9	114.9	-
54133	Engineering services.....	89.8	99.5	101.5	99.6	100.0	101.9	111.3	118.1	120.9	119.5	130.7	-
54181	Advertising agencies.....	84.8	88.5	95.1	94.5	100.0	106.9	117.5	116.8	117.6	122.3	127.8	-
541921	Photography studios, portrait.....	100.5	102.5	111.7	104.8	100.0	105.0	92.3	91.2	94.6	99.3	102.6	-
<b>Administrative and waste services</b>													
561311	Employment placement agencies.....		85.6	76.9	85.2	100.0	109.4	124.7	131.5	152.5	180.6	210.8	-
56151	Travel agencies.....	70.0	78.4	93.6	90.3	100.0	130.8	162.3	190.2	206.7	244.8	248.1	-
56172	Janitorial services.....	71.1	94.7	95.7	96.7	100.0	110.8	107.0	108.9	103.1	109.2	112.0	-
<b>Health care and social assistance</b>													
6215	Medical and diagnostic laboratories.....		72.7	95.9	98.3	100.0	104.0	105.6	105.0	108.2	106.8	119.3	-
621511	Medical laboratories.....		81.2	103.5	103.7	100.0	105.8	108.8	106.0	108.6	112.0	122.6	-
621512	Diagnostic imaging centers.....		61.2	85.7	90.8	100.0	100.1	98.2	100.6	104.5	94.2	108.8	-
<b>Arts, entertainment, and recreation</b>													
71311	Amusement and theme parks.....	105.4	94.1	99.5	87.4	100.0	108.3	99.0	109.3	99.0	106.4	107.1	-
71395	Bowling centers.....	110.0	103.8	96.9	97.9	100.0	104.6	108.4	105.3	99.7	117.3	119.1	-
<b>Accommodation and food services</b>													
72	Accommodation and food services.....	88.1	94.6	100.1	99.1	100.0	102.5	105.2	105.8	106.9	107.0	106.1	-
721	Accommodation.....	76.6	89.3	98.5	96.4	100.0	103.6	111.6	109.7	109.2	109.7	108.7	-
7211	Traveler accommodation.....	75.6	89.2	99.2	96.6	100.0	103.5	111.7	110.2	109.3	109.7	108.7	-
722	Food services and drinking places.....	91.9	95.8	99.1	99.4	100.0	102.2	103.3	104.5	106.1	106.0	105.2	106.2
7221	Full-service restaurants.....	88.3	95.8	98.7	99.2	100.0	100.5	101.6	102.6	103.6	102.8	100.9	101.1
7222	Limited-service eating places.....	94.0	97.4	99.4	99.8	100.0	102.6	104.1	104.7	106.4	106.7	107.2	109.2
7223	Special food services.....	78.2	87.0	100.1	100.3	100.0	104.5	107.1	110.1	110.8	113.1	111.6	111.4
7224	Drinking places, alcoholic beverages.....	132.8	97.2	97.8	94.8	100.0	113.9	106.3	112.4	122.5	123.3	120.9	124.3
<b>Other services</b>													
8111	Automotive repair and maintenance.....	82.8	96.4	105.5	105.0	100.0	99.6	106.3	105.6	104.0	102.4	101.9	-
81142	Reupholstery and furniture repair.....	103.3	98.0	103.4	102.9	100.0	95.3	97.8	99.3	98.0	102.8	99.2	-
81211	Hair, nail, and skin care services.....	75.7	90.6	98.0	103.8	100.0	108.0	112.4	116.2	115.5	119.5	122.2	-
81221	Funeral homes and funeral services.....	109.7	105.8	100.3	97.1	100.0	101.3	98.4	98.6	105.2	102.9	97.7	-
8123	Drycleaning and laundry services.....	86.3	88.9	95.7	98.6	100.0	92.9	99.6	109.8	109.1	104.5	105.1	-
81231	Coin-operated laundries and drycleaners.....	58.6	73.8	88.0	95.5	100.0	82.6	94.6	115.2	99.1	91.0	87.0	-
81232	Drycleaning and laundry services.....	90.7	86.3	96.7	97.8	100.0	90.1	95.7	104.2	103.3	101.5	103.6	-
81233	Linen and uniform supply.....	102.4	102.8	98.8	101.1	100.0	99.3	104.9	112.9	117.4	110.1	110.1	-
81292	Photofinishing.....	95.3	99.5	73.4	80.8	100.0	98.8	99.2	108.1	105.9	102.7	109.8	-

NOTE: Dash indicates data are not available.

51. Unemployment rates adjusted to U.S. concepts, 10 countries, seasonally adjusted

[Percent]

Country	2008	2009	2008				2009				2010
			I	II	III	IV	I	II	III	IV	
United States.....	5.8	9.3	5.0	5.3	6.0	6.9	8.2	9.3	9.7	10.0	9.7
Canada.....	5.3	7.3	5.2	5.3	5.2	5.7	6.9	7.5	7.6	7.5	7.4
Australia.....	4.2	5.6	4.1	4.2	4.2	4.5	5.3	5.7	5.8	5.6	5.3
Japan.....	3.7	4.8	3.6	3.7	3.7	3.8	4.2	4.8	5.1	4.9	4.6
France.....	7.4	9.1	7.1	7.2	7.4	7.8	8.6	9.1	9.1	9.6	9.7
Germany.....	7.5	7.8	7.8	7.6	7.4	7.4	7.5	7.9	7.9	7.8	7.7
Italy.....	6.8	7.9	6.6	6.8	6.8	7.1	7.5	7.6	7.9	8.3	8.7
Netherlands.....	2.8	3.4	2.9	2.8	2.6	2.8	3.0	3.3	3.5	4.0	4.1
Sweden.....	6.0	8.2	5.7	5.7	6.0	6.6	7.4	8.3	8.4	8.6	8.8
United Kingdom.....	5.7	7.7	5.3	5.3	5.9	6.4	7.1	7.8	7.9	7.9	-

Dash indicates data are not available. Quarterly figures for France, Germany, Italy, and the Netherlands are calculated by applying annual adjustment factors to current published data and therefore should be viewed as less precise indicators of unemployment under U.S. concepts than the annual figures. For further qualifications and historical annual data, see the BLS report *International Comparisons of Annual Labor Force Statistics, Adjusted to U.S. Concepts, 10 Countries* (on the internet at <http://www.bls.gov/ilc/ilccomparelf.htm>).

For monthly unemployment rates, as well as the quarterly and annual rates published in this table, see the BLS report *International Unemployment Rates and Employment Indexes, Seasonally Adjusted* (on the internet at [http://www.bls.gov/ilc/intl\\_unemployment\\_rates\\_monthly.htm](http://www.bls.gov/ilc/intl_unemployment_rates_monthly.htm)). Unemployment rates may differ between the two reports mentioned, because the former is updated annually, whereas the latter is updated monthly and reflects the most recent revisions in source data.

**52. Annual data: employment status of the working-age population, adjusted to U.S. concepts, 10 countries**

[Numbers in thousands]

Employment status and country	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
<b>Civilian labor force</b>											
United States.....	139,368	142,583	143,734	144,863	146,510	147,401	149,320	151,428	153,124	154,287	154,142
Canada.....	15,403	15,637	15,891	16,366	16,733	16,955	17,108	17,351	17,696	17,987	18,098
Australia.....	9,414	9,590	9,746	9,901	10,085	10,213	10,529	10,771	11,021	11,254	11,448
Japan.....	66,730	66,710	66,480	65,866	65,495	65,366	65,386	65,556	65,909	65,660	65,362
France.....	26,342	26,591	26,867	27,113	27,285	27,424	27,616	27,881	28,028	28,021	28,331
Germany.....	39,375	39,302	39,459	39,413	39,276	39,711	40,760	41,250	41,416	41,542	41,545
Italy.....	23,176	23,361	23,524	23,728	24,020	24,084	24,179	24,395	24,459	24,836	24,710
Netherlands.....	7,881	8,052	8,199	8,345	8,379	8,439	8,459	8,541	8,686	8,780	8,846
Sweden.....	4,429	4,490	4,530	4,545	4,565	4,579	4,693	4,746	4,822	4,875	4,888
United Kingdom.....	28,786	28,962	29,092	29,343	29,565	29,802	30,137	30,599	30,780	31,126	31,274
<b>Participation rate<sup>1</sup></b>											
United States.....	67.1	67.1	66.8	66.6	66.2	66.0	66.0	66.2	66.0	66.0	65.4
Canada.....	65.9	66.0	66.1	67.1	67.7	67.7	67.4	67.4	67.7	67.9	67.3
Australia.....	64.0	64.4	64.4	64.3	64.6	64.6	65.4	65.8	66.2	66.6	66.5
Japan.....	62.0	61.7	61.2	60.4	59.9	59.6	59.5	59.6	59.8	59.5	59.3
France.....	57.4	57.6	57.7	57.8	57.7	57.5	57.4	57.5	57.4	57.1	57.3
Germany.....	56.9	56.7	56.7	56.4	56.0	56.4	57.6	58.2	58.4	58.5	58.6
Italy.....	47.9	48.1	48.3	48.5	49.1	49.1	48.7	48.9	48.6	49.0	48.4
Netherlands.....	62.5	63.4	64.0	64.7	64.6	64.8	64.7	65.1	65.9	66.2	66.4
Sweden.....	62.7	63.7	63.7	63.9	63.9	63.6	64.8	64.9	65.3	65.3	64.6
United Kingdom.....	62.8	62.8	62.7	62.9	62.9	63.0	63.1	63.5	63.3	63.5	63.3
<b>Employed</b>											
United States.....	133,488	136,891	136,933	136,485	137,736	139,252	141,730	144,427	146,047	145,362	139,877
Canada.....	14,331	14,681	14,866	15,223	15,586	15,861	16,080	16,393	16,767	17,025	16,769
Australia.....	8,762	8,989	9,088	9,271	9,485	9,662	9,998	10,255	10,539	10,777	10,809
Japan.....	63,920	63,790	63,460	62,650	62,510	62,640	62,910	63,210	63,509	63,250	62,242
France.....	23,712	24,326	24,792	24,976	24,990	25,016	25,187	25,446	25,806	25,951	25,755
Germany.....	36,042	36,236	36,350	36,018	35,615	35,604	36,185	36,978	37,815	38,406	38,324
Italy.....	20,617	20,973	21,359	21,666	21,972	22,124	22,290	22,721	22,953	23,144	22,765
Netherlands.....	7,605	7,813	8,014	8,114	8,069	8,052	8,056	8,205	8,408	8,537	8,542
Sweden.....	4,116	4,230	4,303	4,311	4,301	4,279	4,334	4,416	4,530	4,581	4,486
United Kingdom.....	27,058	27,375	27,604	27,815	28,077	28,380	28,674	28,929	29,129	29,346	28,880
<b>Employment-population ratio<sup>2</sup></b>											
United States.....	64.3	64.4	63.7	62.7	62.3	62.3	62.7	63.1	63.0	62.2	59.3
Canada.....	61.3	62.0	61.9	62.4	63.1	63.3	63.4	63.6	64.2	64.2	62.3
Australia.....	59.6	60.3	60.0	60.2	60.8	61.1	62.1	62.6	63.3	63.8	62.8
Japan.....	59.4	59.0	58.4	57.5	57.1	57.1	57.3	57.5	57.6	57.4	56.4
France.....	51.7	52.7	53.3	53.2	52.8	52.5	52.3	52.5	52.9	52.8	52.1
Germany.....	52.1	52.2	52.2	51.5	50.8	50.6	51.2	52.2	53.3	54.1	54.0
Italy.....	42.6	43.2	43.8	44.3	44.9	45.1	44.9	45.5	45.6	45.6	44.6
Netherlands.....	60.3	61.5	62.6	62.9	62.2	61.8	61.6	62.5	63.7	64.3	64.1
Sweden.....	58.3	60.1	60.5	60.6	60.2	59.5	59.9	60.4	61.3	61.4	59.3
United Kingdom.....	59.0	59.4	59.5	59.6	59.8	60.0	60.0	60.0	59.9	59.9	58.5
<b>Unemployed</b>											
United States.....	5,880	5,692	6,801	8,378	8,774	8,149	7,591	7,001	7,078	8,924	14,265
Canada.....	1,072	956	1,026	1,143	1,147	1,093	1,028	958	929	962	1,329
Australia.....	652	602	658	630	599	551	531	516	482	477	638
Japan.....	2,810	2,920	3,020	3,216	2,985	2,726	2,476	2,346	2,400	2,410	3,120
France.....	2,630	2,265	2,075	2,137	2,295	2,408	2,429	2,435	2,222	2,070	2,576
Germany.....	3,333	3,065	3,110	3,396	3,661	4,107	4,575	4,272	3,601	3,136	3,222
Italy.....	2,559	2,388	2,164	2,062	2,048	1,960	1,889	1,673	1,506	1,692	1,945
Netherlands.....	277	239	186	231	310	387	402	336	278	243	304
Sweden.....	313	260	227	234	264	300	360	330	292	294	401
United Kingdom.....	1,728	1,587	1,489	1,528	1,488	1,423	1,463	1,670	1,652	1,780	2,395
<b>Unemployment rate<sup>3</sup></b>											
United States.....	4.2	4.0	4.7	5.8	6.0	5.5	5.1	4.6	4.6	5.8	9.3
Canada.....	7.0	6.1	6.5	7.0	6.9	6.4	6.0	5.5	5.3	5.3	7.3
Australia.....	6.9	6.3	6.8	6.4	5.9	5.4	5.0	4.8	4.4	4.2	5.6
Japan.....	4.2	4.4	4.5	4.9	4.6	4.2	3.8	3.6	3.6	3.7	4.8
France.....	10.0	8.5	7.7	7.9	8.4	8.8	8.8	8.7	7.9	7.4	9.1
Germany.....	8.5	7.8	7.9	8.6	9.3	10.3	11.2	10.4	8.7	7.5	7.8
Italy.....	11.0	10.2	9.2	8.7	8.5	8.1	7.8	6.9	6.2	6.8	7.9
Netherlands.....	3.5	3.0	2.3	2.8	3.7	4.6	4.8	3.9	3.2	2.8	3.4
Sweden.....	7.1	5.8	5.0	5.1	5.8	6.6	7.7	7.0	6.1	6.0	8.2
United Kingdom.....	6.0	5.5	5.1	5.2	5.0	4.8	4.9	5.5	5.4	5.7	7.7

<sup>1</sup> Labor force as a percent of the working-age population.

<sup>2</sup> Employment as a percent of the working-age population.

<sup>3</sup> Unemployment as a percent of the labor force.

NOTE: There are breaks in series for the United States (2000, 2003, 2004), Australia (2001), Germany (2005), the Netherlands (2000, 2003), and Sweden (2005). For further qualifications and historical annual data, see the BLS report *International*

*Comparisons of Annual Labor Force Statistics, Adjusted to U.S. Concepts, 10 Countries* (on the internet at <http://www.bls.gov/ilc/flscomparel.htm>). Unemployment rates may differ from those in the BLS report *International Unemployment Rates and Employment Indexes, Seasonally Adjusted* (on the Internet at [http://www.bls.gov/ilc/intl\\_unemployment\\_rates\\_monthly.htm](http://www.bls.gov/ilc/intl_unemployment_rates_monthly.htm)), because the former is updated annually, whereas the latter is updated monthly and reflects the most recent revisions in source data.

**53. Annual indexes of manufacturing productivity and related measures, 19 economies**

[2002 = 100]

Measure and economy	1980	1990	1995	1996	1997	1998	1999	2000	2001	2003	2004	2005	2006	2007	2008	2009
<b>Output per hour</b>																
United States.....	41.7	58.1	68.5	70.9	73.8	77.7	82.4	88.8	90.7	108.2	117.5	122.8	127.2	135.2	135.7	146.2
Australia.....	63.3	77.8	84.9	87.2	88.0	92.5	95.8	93.5	98.4	104.9	104.3	105.5	108.1	110.0	106.7	111.4
Belgium.....	50.3	74.5	86.7	88.0	93.5	94.7	94.0	97.8	97.3	101.8	105.6	107.5	108.2	113.0	114.1	115.8
Canada.....	55.2	70.7	83.4	83.0	87.2	91.3	95.1	100.7	98.3	100.3	101.3	104.8	106.2	106.6	104.0	105.0
Czech Republic.....	-	-	70.3	74.1	77.3	73.1	83.9	92.0	92.7	101.9	114.4	125.0	140.4	151.7	161.4	156.0
Denmark.....	66.1	79.3	90.8	87.8	94.8	94.3	95.8	99.2	99.4	104.2	110.2	113.7	119.5	122.1	125.2	123.4
Finland.....	29.4	48.4	66.1	67.9	71.5	75.7	81.0	90.4	94.1	106.0	112.9	118.0	131.4	143.4	145.1	132.8
France.....	42.9	63.6	75.2	75.5	80.0	84.1	87.8	94.0	95.9	104.5	107.3	112.3	114.9	116.2	115.1	106.8
Germany.....	54.5	69.8	80.6	82.8	87.7	88.1	90.2	96.5	99.0	103.6	107.5	112.1	120.9	122.7	122.4	111.0
Italy.....	56.8	78.1	94.2	94.6	96.5	95.2	95.9	100.9	101.2	97.9	99.3	100.8	102.6	103.1	99.4	93.5
Japan.....	47.9	70.9	83.4	87.2	90.3	91.2	93.6	98.5	96.5	106.8	114.3	121.7	122.9	127.6	127.9	113.3
Korea, Rep. of.....	-	33.3	52.1	57.6	65.6	73.6	82.7	90.8	90.1	106.8	117.0	130.6	145.6	156.1	157.2	160.1
Netherlands.....	48.0	68.3	82.1	83.9	84.1	86.6	90.1	96.6	97.1	102.1	109.0	113.9	118.2	124.3	121.5	116.1
Norway.....	70.1	87.8	88.1	90.8	91.0	88.7	91.7	94.6	97.2	108.7	115.1	119.1	116.7	116.1	117.2	118.1
Singapore.....	33.1	50.7	72.8	74.5	77.8	80.9	92.4	101.2	90.7	103.6	113.8	116.3	120.1	116.2	105.3	105.0
Spain.....	57.9	80.0	93.3	92.2	93.1	94.7	96.4	97.4	99.6	102.5	104.4	106.4	108.5	110.9	109.3	108.4
Sweden.....	40.1	49.4	64.9	67.1	73.6	78.4	85.4	91.6	89.4	108.2	120.2	128.0	138.8	141.7	137.5	127.5
Taiwan.....	28.6	52.5	65.4	69.9	73.1	76.1	80.7	85.6	89.9	107.2	112.6	121.7	132.1	143.2	145.5	152.4
United Kingdom.....	44.7	70.1	81.7	80.9	82.5	83.4	87.7	93.5	96.9	104.3	110.8	115.8	119.8	123.8	124.0	119.8
<b>Output</b>																
United States.....	49.8	67.6	79.4	82.0	86.9	91.2	96.1	102.3	97.6	102.9	111.2	114.8	119.9	125.2	120.7	113.6
Australia.....	70.8	81.8	86.5	88.2	90.1	92.2	93.5	94.9	96.9	102.6	102.6	101.9	102.7	105.7	104.6	102.2
Belgium.....	67.2	86.7	89.4	89.7	94.0	95.6	95.9	100.4	100.7	98.8	102.4	102.5	102.7	106.5	106.1	96.8
Canada.....	55.2	68.7	76.5	77.5	82.8	86.9	94.1	103.4	99.1	99.2	101.1	102.6	101.3	99.0	93.0	82.5
Czech Republic.....	-	-	73.4	80.2	84.1	78.5	87.0	95.4	94.9	99.0	112.1	125.5	143.8	157.0	169.4	149.3
Denmark.....	77.3	85.5	94.7	90.3	97.7	98.5	99.4	102.9	103.0	97.2	98.8	99.3	103.8	107.1	111.0	97.6
Finland.....	40.3	54.6	60.8	62.6	68.5	75.1	81.1	92.3	96.4	102.9	107.8	112.0	126.3	139.3	139.3	111.6
France.....	69.5	81.5	83.8	83.6	87.5	91.7	94.7	99.1	100.1	101.9	102.8	105.2	104.9	106.6	104.5	92.8
Germany.....	81.3	94.5	90.1	88.2	92.0	93.1	94.0	100.4	102.1	100.7	104.3	106.5	113.6	116.4	117.0	95.7
Italy.....	71.1	88.2	95.7	95.2	96.6	97.5	97.3	101.4	101.1	97.3	98.0	97.8	101.1	103.2	98.2	82.7
Japan.....	61.9	98.9	101.7	105.6	108.2	102.5	102.1	107.4	101.6	105.3	111.4	117.2	121.3	126.1	122.3	95.4
Korea, Rep. of.....	12.7	40.0	59.2	63.4	67.1	62.2	76.5	89.8	92.0	105.4	115.9	123.1	133.0	142.5	146.6	144.2
Netherlands.....	59.3	77.0	85.1	86.3	87.5	90.5	93.8	100.1	99.9	98.9	102.3	104.3	107.9	114.1	111.9	102.1
Norway.....	95.1	91.4	94.6	98.4	102.7	101.9	101.8	101.3	100.5	103.3	109.2	114.1	117.5	121.3	124.5	117.3
Singapore.....	26.0	51.2	75.4	77.4	80.8	80.2	90.6	104.4	102.2	102.9	117.2	128.3	143.6	152.2	145.8	139.8
Spain.....	58.8	73.7	76.0	77.9	82.9	87.9	92.9	97.0	100.1	101.2	101.9	103.1	105.0	105.8	103.0	88.9
Sweden.....	45.5	54.5	65.8	68.0	73.6	80.2	87.5	95.1	93.3	105.0	115.0	120.7	129.0	133.5	129.7	106.4
Taiwan.....	29.4	59.3	72.7	76.1	80.9	82.8	88.9	96.1	89.5	110.1	121.5	131.0	142.9	156.9	158.5	151.5
United Kingdom.....	78.5	94.8	97.1	97.8	99.6	100.3	101.3	103.6	102.2	99.7	101.9	101.8	103.3	103.8	100.8	90.0
<b>Total hours</b>																
United States.....	119.4	116.5	115.9	115.7	117.7	117.4	116.6	115.1	107.6	95.1	94.6	93.5	94.3	92.6	88.9	77.7
Australia.....	111.8	105.2	101.9	101.1	102.4	99.7	97.6	101.5	98.5	97.8	98.4	96.6	95.0	96.1	98.1	91.7
Belgium.....	133.5	116.4	103.1	102.0	100.6	100.9	102.0	102.7	103.6	97.0	97.0	95.3	94.9	94.2	93.0	83.6
Canada.....	100.0	97.2	91.8	93.4	94.9	95.2	98.9	102.7	100.8	99.0	99.8	97.9	95.4	92.9	89.4	78.6
Czech Republic.....	-	-	104.4	108.3	108.8	107.4	103.6	103.6	102.3	97.2	98.0	100.4	102.4	103.5	104.9	95.7
Denmark.....	117.0	107.8	104.3	102.9	103.1	104.5	103.7	103.7	103.7	93.4	89.6	87.3	86.9	87.7	88.7	79.0
Finland.....	137.0	112.9	92.0	92.3	95.8	99.3	100.1	102.1	102.5	97.1	95.4	95.0	96.1	97.1	96.0	84.0
France.....	161.9	128.2	111.3	110.7	109.4	109.0	108.0	105.4	104.4	97.5	95.8	93.7	91.3	91.8	90.7	86.8
Germany.....	149.3	135.4	111.7	106.4	104.9	105.8	104.2	104.0	103.1	97.3	97.1	95.0	93.9	94.9	95.6	86.2
Italy.....	125.2	113.0	101.6	100.7	100.1	102.5	101.5	100.5	99.9	99.4	98.7	97.0	98.5	100.1	98.8	88.4
Japan.....	129.3	139.6	122.0	121.0	119.9	112.5	109.1	109.0	105.3	98.6	97.5	96.3	98.6	98.9	95.6	84.2
Korea, Rep. of.....	-	119.8	113.6	109.9	102.2	84.5	92.5	98.9	102.1	98.7	99.0	94.2	91.3	91.3	93.2	90.1
Netherlands.....	123.6	112.8	103.7	102.9	104.0	104.5	104.1	103.6	103.0	96.8	93.9	91.6	91.3	91.8	92.1	87.9
Norway.....	135.6	104.1	107.3	108.4	112.8	115.0	111.0	107.1	103.4	95.1	94.9	95.8	100.7	104.5	106.3	99.3
Singapore.....	78.6	101.1	103.6	104.0	103.9	99.1	98.0	103.1	101.7	99.3	103.0	110.4	119.6	131.0	138.4	133.1
Spain.....	101.6	92.1	81.4	84.5	89.0	92.8	96.4	99.7	100.5	98.8	97.6	96.8	96.8	95.4	94.2	82.0
Sweden.....	113.3	110.2	101.3	101.3	100.1	102.3	102.5	103.8	104.4	97.0	95.7	94.3	93.0	94.2	94.3	83.4
Taiwan.....	102.9	113.0	111.1	108.9	110.6	108.8	110.1	112.4	99.6	102.7	107.9	107.7	108.1	109.6	108.9	99.4
United Kingdom.....	175.7	135.2	118.9	120.9	120.7	120.3	115.5	110.8	105.4	95.6	91.9	87.8	86.2	83.9	81.3	75.1

See notes at end of table.

## 53. Continued— Annual indexes of manufacturing productivity and related measures, 19 economies

Measure and economy	1980	1990	1995	1996	1997	1998	1999	2000	2001	2003	2004	2005	2006	2007	2008	2009
<b>Unit labor costs</b> (national currency basis)																
United States.....	91.6	107.0	107.1	105.3	103.6	104.5	102.8	102.8	104.5	99.8	92.6	91.6	90.2	87.6	90.7	88.7
Australia.....	-	82.1	91.6	94.1	94.3	94.8	95.4	96.8	97.6	101.0	105.5	111.0	115.8	118.7	124.1	130.1
Belgium.....	80.9	93.8	97.2	97.5	95.2	95.4	97.4	95.3	99.0	100.3	98.0	98.0	100.5	100.2	102.5	107.6
Canada.....	65.8	96.6	97.9	99.9	97.3	97.8	95.8	93.5	98.4	103.7	106.6	107.6	110.3	113.9	117.0	115.7
Czech Republic.....	-	-	73.8	82.4	86.7	100.4	92.2	89.2	98.7	106.1	100.1	94.5	88.7	87.9	86.7	88.6
Denmark.....	49.4	86.4	87.3	94.0	90.0	92.9	93.7	92.3	96.5	102.5	100.6	103.0	101.8	105.1	104.7	109.2
Finland.....	75.4	124.4	117.5	118.2	114.2	112.5	108.8	101.5	104.3	97.0	94.5	94.4	87.7	82.6	85.3	97.2
France.....	65.8	101.2	106.1	107.7	104.8	100.4	99.3	97.6	98.3	97.9	98.3	97.4	98.9	100.2	103.9	114.0
Germany.....	65.7	85.5	100.8	102.7	98.9	99.9	99.7	98.1	98.6	98.7	95.7	92.9	89.6	89.3	91.8	106.3
Italy.....	34.5	78.6	87.7	92.0	94.4	94.0	95.6	93.2	96.1	106.0	108.1	110.0	110.3	112.9	121.0	135.5
Japan.....	105.4	109.2	110.8	106.9	106.8	108.3	105.4	99.5	102.9	91.6	86.4	81.8	80.1	76.0	77.2	86.3
Korea, Rep. of.....	40.4	72.4	109.2	115.1	110.7	107.8	96.2	93.8	98.8	98.8	102.7	107.0	105.2	104.6	104.8	108.8
Netherlands.....	85.6	90.5	93.8	93.5	95.7	96.9	96.2	94.1	97.6	101.8	99.5	96.6	95.7	93.8	99.6	108.0
Norway.....	35.3	66.6	78.5	79.4	82.7	89.9	91.8	94.1	97.0	95.8	93.4	94.5	102.4	107.7	112.8	118.0
Singapore.....	78.5	107.5	113.5	116.5	117.8	115.8	96.0	92.3	106.0	97.1	88.9	86.4	82.7	85.3	95.2	91.4
Spain.....	35.7	73.7	93.6	97.0	98.4	97.4	95.6	96.0	97.6	102.5	104.1	107.0	110.0	114.4	122.4	125.9
Sweden.....	67.1	123.4	110.4	115.1	110.6	107.8	102.0	98.9	106.1	96.5	89.3	86.7	82.2	84.8	90.2	101.2
Taiwan.....	69.3	108.5	123.1	122.7	121.0	120.0	115.5	110.9	112.4	96.2	94.5	92.6	90.4	84.3	85.0	78.7
United Kingdom.....	52.8	83.2	87.6	88.3	90.4	96.3	97.3	96.5	97.6	100.7	98.9	100.2	102.2	102.4	104.3	110.9
<b>Unit labor costs</b> (U.S. dollar basis)																
United States.....	91.6	107.0	107.1	105.3	103.6	104.5	102.8	102.8	104.5	99.8	92.6	91.6	90.2	87.6	90.7	88.7
Australia.....	-	118.0	124.8	135.5	129.0	109.7	113.2	103.6	92.8	121.2	142.9	155.7	160.4	183.3	194.8	189.7
Belgium.....	118.1	119.7	140.7	134.4	113.4	112.1	109.8	93.0	93.8	120.2	128.9	129.1	133.5	145.3	159.6	158.5
Canada.....	88.4	130.1	112.1	115.0	110.4	103.5	101.3	98.8	99.8	116.3	128.6	139.5	152.8	166.7	172.4	159.2
Czech Republic.....	-	-	91.0	99.4	89.5	101.8	87.3	75.6	85.0	123.1	127.6	129.2	128.5	140.2	166.4	149.8
Denmark.....	69.1	110.1	123.0	127.8	107.4	109.3	105.8	89.9	91.4	122.9	132.5	135.5	135.1	152.3	162.3	160.8
Finland.....	127.1	204.6	169.2	161.8	138.4	132.4	122.6	99.2	98.8	116.2	124.3	124.3	116.6	119.8	132.9	143.2
France.....	108.0	128.9	147.6	146.1	124.5	118.1	111.9	95.3	93.1	117.2	129.3	128.2	131.4	145.3	161.9	168.1
Germany.....	74.7	109.4	145.6	141.2	117.9	117.4	112.4	95.8	93.3	118.2	125.9	122.3	119.1	129.4	143.0	156.7
Italy.....	82.6	134.3	110.2	122.1	113.5	110.8	107.7	91.0	91.0	126.9	142.2	144.8	146.5	163.7	188.5	199.8
Japan.....	58.2	94.3	147.7	123.1	110.4	103.6	116.1	115.6	106.0	98.9	100.1	93.0	86.3	80.8	93.5	115.4
Korea, Rep. of.....	83.1	127.3	176.7	178.8	146.1	96.2	101.1	103.7	95.6	103.6	112.1	130.6	137.8	140.8	119.2	106.7
Netherlands.....	100.4	115.9	136.3	129.3	114.2	113.8	108.4	91.9	92.5	121.9	130.8	127.2	127.2	136.0	155.1	159.1
Norway.....	57.0	85.0	98.9	98.1	93.2	95.0	93.9	85.2	86.1	108.0	110.6	117.2	127.6	146.9	159.7	149.8
Singapore.....	65.7	106.2	143.4	148.0	142.0	124.0	101.4	95.8	105.9	99.7	94.2	93.0	93.3	101.5	120.6	112.5
Spain.....	87.6	127.3	132.2	134.8	118.1	114.8	107.7	93.8	92.4	122.7	136.9	140.9	146.2	165.9	190.7	185.6
Sweden.....	154.3	202.6	150.4	166.8	140.7	131.9	119.9	104.8	99.8	116.2	118.1	112.8	108.5	122.1	133.2	128.5
Taiwan.....	66.4	139.3	160.4	154.2	145.2	123.5	123.4	122.6	114.7	96.5	97.8	99.5	96.1	88.6	93.2	82.3
United Kingdom.....	81.7	98.8	92.1	91.7	98.5	106.2	104.7	97.3	93.5	109.5	120.7	121.4	125.4	136.5	128.7	115.6
<b>Hourly compensation</b> (national currency basis)																
United States.....	38.2	62.1	73.4	74.6	76.5	81.2	84.8	91.3	94.8	108.0	108.9	112.5	114.7	118.5	123.2	129.6
Australia.....	-	63.9	77.8	82.1	83.0	87.7	91.4	90.5	96.0	106.0	110.1	117.1	125.2	130.7	132.4	145.0
Belgium.....	40.7	69.9	84.3	85.8	89.0	90.4	91.5	93.2	96.3	102.2	103.5	105.4	108.8	113.2	116.9	124.5
Canada.....	36.3	68.3	81.6	82.9	84.9	89.3	91.2	94.2	96.7	104.0	108.0	112.8	117.2	121.4	121.7	121.4
Czech Republic.....	-	-	51.9	61.0	67.1	73.4	77.4	82.0	91.6	108.1	114.6	118.1	124.5	133.3	139.9	138.3
Denmark.....	32.6	68.5	79.3	82.5	85.3	87.6	89.8	91.6	95.9	106.8	110.9	117.2	121.6	128.3	131.2	134.9
Finland.....	22.2	60.2	77.6	80.2	81.7	85.1	88.2	91.8	98.1	102.8	106.7	111.4	115.3	118.5	123.8	129.0
France.....	28.2	64.3	79.8	81.3	83.8	84.4	87.2	91.8	94.3	102.3	105.5	109.3	113.6	116.5	119.7	121.8
Germany.....	35.8	59.7	81.2	85.1	86.7	88.0	90.0	94.7	97.6	102.2	102.8	104.1	108.4	109.5	112.3	118.0
Italy.....	19.6	61.3	82.5	87.0	91.1	89.4	91.7	94.1	97.2	103.8	107.4	110.8	113.2	116.4	120.3	126.7
Japan.....	50.4	77.4	92.4	93.2	96.4	98.8	98.6	98.0	99.3	97.8	98.8	99.6	98.5	97.0	98.8	97.8
Korea, Rep. of.....	-	24.1	56.9	66.3	72.6	79.3	79.5	85.2	89.0	105.5	120.2	139.7	153.2	163.4	164.7	174.2
Netherlands.....	41.1	61.8	77.0	78.4	80.5	83.9	86.7	90.9	94.8	104.0	108.4	110.0	113.1	116.6	121.0	125.4
Norway.....	24.7	58.5	69.2	72.1	75.3	79.7	84.2	89.0	94.4	104.1	107.5	112.6	119.5	125.0	132.1	139.4
Singapore.....	26.0	54.5	82.6	86.8	91.7	93.7	88.8	93.4	96.2	100.6	101.2	100.5	99.4	99.2	100.2	95.9
Spain.....	20.7	59.0	87.4	89.5	91.6	92.3	92.1	93.5	97.2	105.0	108.7	113.9	119.4	126.9	133.8	136.5
Sweden.....	27.0	61.0	71.7	77.3	81.4	84.5	87.2	90.6	94.9	104.5	107.3	111.0	114.2	120.2	124.0	129.0
Taiwan.....	19.8	57.0	80.5	85.7	88.5	91.4	93.3	94.9	101.0	103.1	106.4	112.7	119.5	120.7	123.7	119.9
United Kingdom.....	23.6	58.4	71.6	71.5	74.6	80.3	85.3	90.2	94.6	105	109.7	116.1	122.5	126.8	129.3	132.8

NOTE: Data for Germany for years before 1995 are for the former West Germany. Data for 1995 onward are for unified Germany. Dash indicates data not available.

54. Occupational injury and illness rates by industry, <sup>1</sup> United States

Industry and type of case <sup>2</sup>	Incidence rates per 100 full-time workers <sup>3</sup>												
	1989 <sup>1</sup>	1990	1991	1992	1993 <sup>4</sup>	1994 <sup>4</sup>	1995 <sup>4</sup>	1996 <sup>4</sup>	1997 <sup>4</sup>	1998 <sup>4</sup>	1999 <sup>4</sup>	2000 <sup>4</sup>	2001 <sup>4</sup>
<b>PRIVATE SECTOR<sup>5</sup></b>													
Total cases .....	8.6	8.8	8.4	8.9	8.5	8.4	8.1	7.4	7.1	6.7	6.3	6.1	5.7
Lost workday cases.....	4.0	4.1	3.9	3.9	3.8	3.8	3.6	3.4	3.3	3.1	3.0	3.0	2.8
Lost workdays.....	78.7	84.0	86.5	93.8	-	-	-	-	-	-	-	-	-
<b>Agriculture, forestry, and fishing<sup>5</sup></b>													
Total cases .....	10.9	11.6	10.8	11.6	11.2	10.0	9.7	8.7	8.4	7.9	7.3	7.1	7.3
Lost workday cases.....	5.7	5.9	5.4	5.4	5.0	4.7	4.3	3.9	4.1	3.9	3.4	3.6	3.6
Lost workdays.....	100.9	112.2	108.3	126.9	-	-	-	-	-	-	-	-	-
<b>Mining</b>													
Total cases .....	8.5	8.3	7.4	7.3	6.8	6.3	6.2	5.4	5.9	4.9	4.4	4.7	4.0
Lost workday cases.....	4.8	5.0	4.5	4.1	3.9	3.9	3.9	3.2	3.7	2.9	2.7	3.0	2.4
Lost workdays.....	137.2	119.5	129.6	204.7	-	-	-	-	-	-	-	-	-
<b>Construction</b>													
Total cases .....	14.3	14.2	13.0	13.1	12.2	11.8	10.6	9.9	9.5	8.8	8.6	8.3	7.9
Lost workday cases.....	6.8	6.7	6.1	5.8	5.5	5.5	4.9	4.5	4.4	4.0	4.2	4.1	4.0
Lost workdays.....	143.3	147.9	148.1	161.9	-	-	-	-	-	-	-	-	-
General building contractors:													
Total cases .....	13.9	13.4	12.0	12.2	11.5	10.9	9.8	9.0	8.5	8.4	8.0	7.8	6.9
Lost workday cases.....	6.5	6.4	5.5	5.4	5.1	5.1	4.4	4.0	3.7	3.9	3.7	3.9	3.5
Lost workdays.....	137.3	137.6	132.0	142.7	-	-	-	-	-	-	-	-	-
Heavy construction, except building:													
Total cases .....	13.8	13.8	12.8	12.1	11.1	10.2	9.9	9.0	8.7	8.2	7.8	7.6	7.8
Lost workday cases.....	6.5	6.3	6.0	5.4	5.1	5.0	4.8	4.3	4.3	4.1	3.8	3.7	4.0
Lost workdays.....	147.1	144.6	160.1	165.8	-	-	-	-	-	-	-	-	-
Special trades contractors:													
Total cases .....	14.6	14.7	13.5	13.8	12.8	12.5	11.1	10.4	10.0	9.1	8.9	8.6	8.2
Lost workday cases.....	6.9	6.9	6.3	6.1	5.8	5.8	5.0	4.8	4.7	4.1	4.4	4.3	4.1
Lost workdays.....	144.9	153.1	151.3	168.3	-	-	-	-	-	-	-	-	-
<b>Manufacturing</b>													
Total cases .....	13.1	13.2	12.7	12.5	12.1	12.2	11.6	10.6	10.3	9.7	9.2	9.0	8.1
Lost workday cases.....	5.8	5.8	5.6	5.4	5.3	5.5	5.3	4.9	4.8	4.7	4.6	4.5	4.1
Lost workdays.....	113.0	120.7	121.5	124.6	-	-	-	-	-	-	-	-	-
Durable goods:													
Total cases .....	14.1	14.2	13.6	13.4	13.1	13.5	12.8	11.6	11.3	10.7	10.1	-	8.8
Lost workday cases.....	6.0	6.0	5.7	5.5	5.4	5.7	5.6	5.1	5.1	5.0	4.8	-	4.3
Lost workdays.....	116.5	123.3	122.9	126.7	-	-	-	-	-	-	-	-	-
Lumber and wood products:													
Total cases .....	18.4	18.1	16.8	16.3	15.9	15.7	14.9	14.2	13.5	13.2	13.0	12.1	10.6
Lost workday cases.....	9.4	8.8	8.3	7.6	7.6	7.7	7.0	6.8	6.5	6.8	6.7	6.1	5.5
Lost workdays.....	177.5	172.5	172.0	165.8	-	-	-	-	-	-	-	-	-
Furniture and fixtures:													
Total cases .....	16.1	16.9	15.9	14.8	14.6	15.0	13.9	12.2	12.0	11.4	11.5	11.2	11.0
Lost workday cases.....	7.2	7.8	7.2	6.6	6.5	7.0	6.4	5.4	5.8	5.7	5.9	5.9	5.7
Lost workdays.....	-	-	-	128.4	-	-	-	-	-	-	-	-	-
Stone, clay, and glass products:													
Total cases .....	15.5	15.4	14.8	13.6	13.8	13.2	12.3	12.4	11.8	11.8	10.7	10.4	10.1
Lost workday cases.....	7.4	7.3	6.8	6.1	6.3	6.5	5.7	6.0	5.7	6.0	5.4	5.5	5.1
Lost workdays.....	149.8	160.5	156.0	152.2	-	-	-	-	-	-	-	-	-
Primary metal industries:													
Total cases .....	18.7	19.0	17.7	17.5	17.0	16.8	16.5	15.0	15.0	14.0	12.9	12.6	10.7
Lost workday cases.....	8.1	8.1	7.4	7.1	7.3	7.2	7.2	6.8	7.2	7.0	6.3	6.3	5.3
Lost workdays.....	168.3	180.2	169.1	175.5	-	-	-	-	-	-	-	-	11.1
Fabricated metal products:													
Total cases .....	18.5	18.7	17.4	16.8	16.2	16.4	15.8	14.4	14.2	13.9	12.6	11.9	11.1
Lost workday cases.....	7.9	7.9	7.1	6.6	6.7	6.7	6.9	6.2	6.4	6.5	6.0	5.5	5.3
Lost workdays.....	147.6	155.7	146.6	144.0	-	-	-	-	-	-	-	-	-
Industrial machinery and equipment:													
Total cases .....	12.1	12.0	11.2	11.1	11.1	11.6	11.2	9.9	10.0	9.5	8.5	8.2	11.0
Lost workday cases.....	4.8	4.7	4.4	4.2	4.2	4.4	4.4	4.0	4.1	4.0	3.7	3.6	6.0
Lost workdays.....	86.8	88.9	86.6	87.7	-	-	-	-	-	-	-	-	-
Electronic and other electrical equipment:													
Total cases .....	9.1	9.1	8.6	8.4	8.3	8.3	7.6	6.8	6.6	5.9	5.7	5.7	5.0
Lost workday cases.....	3.9	3.8	3.7	3.6	3.5	3.6	3.3	3.1	3.1	2.8	2.8	2.9	2.5
Lost workdays.....	77.5	79.4	83.0	81.2	-	-	-	-	-	-	-	-	-
Transportation equipment:													
Total cases .....	17.7	17.8	18.3	18.7	18.5	19.6	18.6	16.3	15.4	14.6	13.7	13.7	12.6
Lost workday cases.....	6.8	6.9	7.0	7.1	7.1	7.8	7.9	7.0	6.6	6.6	6.4	6.3	6.0
Lost workdays.....	138.6	153.7	166.1	186.6	-	-	-	-	-	-	-	-	-
Instruments and related products:													
Total cases .....	5.6	5.9	6.0	5.9	5.6	5.9	5.3	5.1	4.8	4.0	4.0	4.5	4.0
Lost workday cases.....	2.5	2.7	2.7	2.7	2.5	2.7	2.4	2.3	2.3	1.9	1.8	2.2	2.0
Lost workdays.....	55.4	57.8	64.4	65.3	-	-	-	-	-	-	-	-	-
Miscellaneous manufacturing industries:													
Total cases .....	11.1	11.3	11.3	10.7	10.0	9.9	9.1	9.5	8.9	8.1	8.4	7.2	6.4
Lost workday cases.....	5.1	5.1	5.1	5.0	4.6	4.5	4.3	4.4	4.2	3.9	4.0	3.6	3.2
Lost workdays.....	97.6	113.1	104.0	108.2	-	-	-	-	-	-	-	-	-

See footnotes at end of table.

54. Continued—Occupational injury and illness rates by industry<sup>1</sup>, United States

Industry and type of case <sup>2</sup>	Incidence rates per 100 workers <sup>3</sup>												
	1989 <sup>1</sup>	1990	1991	1992	1993 <sup>4</sup>	1994 <sup>4</sup>	1995 <sup>4</sup>	1996 <sup>4</sup>	1997 <sup>4</sup>	1998 <sup>4</sup>	1999 <sup>4</sup>	2000 <sup>4</sup>	2001 <sup>4</sup>
<b>Nondurable goods:</b>													
Total cases .....	11.6	11.7	11.5	11.3	10.7	10.5	9.9	9.2	8.8	8.2	7.8	7.8	6.8
Lost workday cases.....	5.5	5.6	5.5	5.3	5.0	5.1	4.9	4.6	4.4	4.3	4.2	4.2	3.8
Lost workdays.....	107.8	116.9	119.7	121.8	-	-	-	-	-	-	-	-	-
<b>Food and kindred products:</b>													
Total cases .....	18.5	20.0	19.5	18.8	17.6	17.1	16.3	15.0	14.5	13.6	12.7	12.4	10.9
Lost workday cases.....	9.3	9.9	9.9	9.5	8.9	9.2	8.7	8.0	8.0	7.5	7.3	7.3	6.3
Lost workdays.....	174.7	202.6	207.2	211.9	-	-	-	-	-	-	-	-	-
<b>Tobacco products:</b>													
Total cases .....	8.7	7.7	6.4	6.0	5.8	5.3	5.6	6.7	5.9	6.4	5.5	6.2	6.7
Lost workday cases.....	3.4	3.2	2.8	2.4	2.3	2.4	2.6	2.8	2.7	3.4	2.2	3.1	4.2
Lost workdays.....	64.2	62.3	52.0	42.9	-	-	-	-	-	-	-	-	-
<b>Textile mill products:</b>													
Total cases .....	10.3	9.6	10.1	9.9	9.7	8.7	8.2	7.8	6.7	7.4	6.4	6.0	5.2
Lost workday cases.....	4.2	4.0	4.4	4.2	4.1	4.0	4.1	3.6	3.1	3.4	3.2	3.2	2.7
Lost workdays.....	81.4	85.1	88.3	87.1	-	-	-	-	-	-	-	-	-
<b>Apparel and other textile products:</b>													
Total cases .....	8.6	8.8	9.2	9.5	9.0	8.9	8.2	7.4	7.0	6.2	5.8	6.1	5.0
Lost workday cases.....	3.8	3.9	4.2	4.0	3.8	3.9	3.6	3.3	3.1	2.6	2.8	3.0	2.4
Lost workdays.....	80.5	92.1	99.9	104.6	-	-	-	-	-	-	-	-	-
<b>Paper and allied products:</b>													
Total cases .....	12.7	12.1	11.2	11.0	9.9	9.6	8.5	7.9	7.3	7.1	7.0	6.5	6.0
Lost workday cases.....	5.8	5.5	5.0	5.0	4.6	4.5	4.2	3.8	3.7	3.7	3.7	3.4	3.2
Lost workdays.....	132.9	124.8	122.7	125.9	-	-	-	-	-	-	-	-	-
<b>Printing and publishing:</b>													
Total cases .....	6.9	6.9	6.7	7.3	6.9	6.7	6.4	6.0	5.7	5.4	5.0	5.1	4.6
Lost workday cases.....	3.3	3.3	3.2	3.2	3.1	3.0	3.0	2.8	2.7	2.8	2.6	2.6	2.4
Lost workdays.....	63.8	69.8	74.5	74.8	-	-	-	-	-	-	-	-	-
<b>Chemicals and allied products:</b>													
Total cases .....	7.0	6.5	6.4	6.0	5.9	5.7	5.5	4.8	4.8	4.2	4.4	4.2	4.0
Lost workday cases.....	3.2	3.1	3.1	2.8	2.7	2.8	2.7	2.4	2.3	2.1	2.3	2.2	2.1
Lost workdays.....	63.4	61.6	62.4	64.2	-	-	-	-	-	-	-	-	-
<b>Petroleum and coal products:</b>													
Total cases .....	6.6	6.6	6.2	5.9	5.2	4.7	4.8	4.6	4.3	3.9	4.1	3.7	2.9
Lost workday cases.....	3.3	3.1	2.9	2.8	2.5	2.3	2.4	2.5	2.2	1.8	1.8	1.9	1.4
Lost workdays.....	68.1	77.3	68.2	71.2	-	-	-	-	-	-	-	-	-
<b>Rubber and miscellaneous plastics products:</b>													
Total cases .....	16.2	16.2	15.1	14.5	13.9	14.0	12.9	12.3	11.9	11.2	10.1	10.7	8.7
Lost workday cases.....	8.0	7.8	7.2	6.8	6.5	6.7	6.5	6.3	5.8	5.8	5.5	5.8	4.8
Lost workdays.....	147.2	151.3	150.9	153.3	-	-	-	-	-	-	-	-	-
<b>Leather and leather products:</b>													
Total cases .....	13.6	12.1	12.5	12.1	12.1	12.0	11.4	10.7	10.6	9.8	10.3	9.0	8.7
Lost workday cases.....	6.5	5.9	5.9	5.4	5.5	5.3	4.8	4.5	4.3	4.5	5.0	4.3	4.4
Lost workdays.....	130.4	152.3	140.8	128.5	-	-	-	-	-	-	-	-	-
<b>Transportation and public utilities</b>													
Total cases .....	9.2	9.6	9.3	9.1	9.5	9.3	9.1	8.7	8.2	7.3	7.3	6.9	6.9
Lost workday cases.....	5.3	5.5	5.4	5.1	5.4	5.5	5.2	5.1	4.8	4.3	4.4	4.3	4.3
Lost workdays.....	121.5	134.1	140.0	144.0	-	-	-	-	-	-	-	-	-
<b>Wholesale and retail trade</b>													
Total cases .....	8.0	7.9	7.6	8.4	8.1	7.9	7.5	6.8	6.7	6.5	6.1	5.9	6.6
Lost workday cases.....	3.6	3.5	3.4	3.5	3.4	3.4	3.2	2.9	3.0	2.8	2.7	2.7	2.5
Lost workdays.....	63.5	65.6	72.0	80.1	-	-	-	-	-	-	-	-	-
<b>Wholesale trade:</b>													
Total cases .....	7.7	7.4	7.2	7.6	7.8	7.7	7.5	6.6	6.5	6.5	6.3	5.8	5.3
Lost workday cases.....	4.0	3.7	3.7	3.6	3.7	3.8	3.6	3.4	3.2	3.3	3.3	3.1	2.8
Lost workdays.....	71.9	71.5	79.2	82.4	-	-	-	-	-	-	-	-	-
<b>Retail trade:</b>													
Total cases .....	8.1	8.1	7.7	8.7	8.2	7.9	7.5	6.9	6.8	6.5	6.1	5.9	5.7
Lost workday cases.....	3.4	3.4	3.3	3.4	3.3	3.3	3.0	2.8	2.9	2.7	2.5	2.5	2.4
Lost workdays.....	60.0	63.2	69.1	79.2	-	-	-	-	-	-	-	-	-
<b>Finance, insurance, and real estate</b>													
Total cases .....	2.0	2.4	2.4	2.9	2.9	2.7	2.6	2.4	2.2	.7	1.8	1.9	1.8
Lost workday cases.....	.9	1.1	1.1	1.2	1.2	1.1	1.0	.9	.9	.5	.8	.8	.7
Lost workdays.....	17.6	27.3	24.1	32.9	-	-	-	-	-	-	-	-	-
<b>Services</b>													
Total cases .....	5.5	6.0	6.2	7.1	6.7	6.5	6.4	6.0	5.6	5.2	4.9	4.9	4.6
Lost workday cases.....	2.7	2.8	2.8	3.0	2.8	2.8	2.8	2.6	2.5	2.4	2.2	2.2	2.2
Lost workdays.....	51.2	56.4	60.0	68.6	-	-	-	-	-	-	-	-	-

<sup>1</sup> Data for 1989 and subsequent years are based on the *Standard Industrial Classification Manual*, 1987 Edition. For this reason, they are not strictly comparable with data for the years 1985-88, which were based on the *Standard Industrial Classification Manual*, 1972 Edition, 1977 Supplement.

<sup>2</sup> Beginning with the 1992 survey, the annual survey measures only nonfatal injuries and illnesses, while past surveys covered both fatal and nonfatal incidents. To better address fatalities, a basic element of workplace safety, BLS implemented the Census of Fatal Occupational Injuries.

<sup>3</sup> The incidence rates represent the number of injuries and illnesses or lost workdays per 100 full-time workers and were calculated as (N/EH) X 200,000, where:

N = number of injuries and illnesses or lost workdays;  
EH = total hours worked by all employees during the calendar year; and  
200,000 = base for 100 full-time equivalent workers (working 40 hours per week, 50 weeks per year).

<sup>4</sup> Beginning with the 1993 survey, lost workday estimates will not be generated. As of 1992, BLS began generating percent distributions and the median number of days away from work by industry and for groups of workers sustaining similar work disabilities.

<sup>5</sup> Excludes farms with fewer than 11 employees since 1976.

NOTE: Dash indicates data not available.

**55. Fatal occupational injuries by event or exposure, 1996-2005**

Event or exposure <sup>1</sup>	1996-2000 (average)	2001-2005 <sup>2</sup> (average) <sup>2</sup>	2005 <sup>3</sup>	
			Number	Percent
All events .....	6,094	5,704	5,734	100
<b>Transportation incidents</b> .....	2,608	2,451	2,493	43
Highway .....	1,408	1,394	1,437	25
Collision between vehicles, mobile equipment .....	685	686	718	13
Moving in same direction .....	117	151	175	3
Moving in opposite directions, oncoming .....	247	254	265	5
Moving in intersection .....	151	137	134	2
Vehicle struck stationary object or equipment on side of road .....	264	310	345	6
Noncollision .....	372	335	318	6
Jack-knifed or overturned--no collision .....	298	274	273	5
Nonhighway (farm, industrial premises) .....	378	335	340	6
Noncollision accident .....	321	277	281	5
Overturned .....	212	175	182	3
Worker struck by vehicle, mobile equipment .....	376	369	391	7
Worker struck by vehicle, mobile equipment in roadway .....	129	136	140	2
Worker struck by vehicle, mobile equipment in parking lot or non-road area .....	171	166	176	3
Water vehicle .....	105	82	88	2
Aircraft .....	263	206	149	3
<b>Assaults and violent acts</b> .....	1,015	850	792	14
Homicides .....	766	602	567	10
Shooting .....	617	465	441	8
Suicide, self-inflicted injury .....	216	207	180	3
<b>Contact with objects and equipment</b> .....	1,005	952	1,005	18
Struck by object .....	567	560	607	11
Struck by falling object .....	364	345	385	7
Struck by rolling, sliding objects on floor or ground level .....	77	89	94	2
Caught in or compressed by equipment or objects .....	293	256	278	5
Caught in running equipment or machinery .....	157	128	121	2
Caught in or crushed in collapsing materials .....	128	118	109	2
<b>Falls</b> .....	714	763	770	13
Fall to lower level .....	636	669	664	12
Fall from ladder .....	106	125	129	2
Fall from roof .....	153	154	160	3
Fall to lower level, n.e.c. ....	117	123	117	2
<b>Exposure to harmful substances or environments</b> .....	535	498	501	9
Contact with electric current .....	290	265	251	4
Contact with overhead power lines .....	132	118	112	2
Exposure to caustic, noxious, or allergenic substances	112	114	136	2
Oxygen deficiency .....	92	74	59	1
<b>Fires and explosions</b> .....	196	174	159	3
Fires--unintended or uncontrolled .....	103	95	93	2
Explosion .....	92	78	65	1

<sup>1</sup> Based on the 1992 BLS Occupational Injury and Illness Classification Manual.

<sup>2</sup> Excludes fatalities from the Sept. 11, 2001, terrorist attacks.

<sup>3</sup> The BLS news release of August 10, 2006, reported a total of 5,702 fatal work injuries for calendar year 2005. Since then, an additional 32 job-related fatalities were identified, bringing the total job-related fatality count for 2005 to 5,734.

NOTE: Totals for all years are revised and final. Totals for major categories may include subcategories not shown separately. Dashes indicate no data reported or data that do not meet publication criteria. N.e.c. means "not elsewhere classified."

SOURCE: U.S. Department of Labor, Bureau of Labor Statistics, in cooperation with State, New York City, District of Columbia, and Federal agencies, Census of Fatal Occupational Injuries.