

January 2010



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 2009



**also in this issue:**  
Changes in Federal and State  
unemployment insurance  
legislation in 2009

**Crash and reboot: Silicon Valley high-tech  
employment and wages, 2000–08**



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

U.S. Bureau of Labor Statistics  
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The *Review's* audience includes economists, statisticians, labor relations practitioners (lawyers, arbitrators, etc.), sociologists, and other professionals concerned with labor related issues. Because the *Review* presents topics in labor economics in less forbidding formats than some social science journals, its audience also includes laypersons who are interested in the topics, but are not professionally trained economists, statisticians, and so forth.

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# MONTHLY LABOR REVIEW

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### The January Review

The *Review* begins 2010 with its annual account of labor legislation in the article “State labor legislation enacted in 2009,” by John J. Fitzpatrick, Jr., James L. Perine, and Bridget Dutton, from the U.S. Department of Labor’s Employment Standards Administration. The article tracks and highlights a wide range of labor law categories including drug and alcohol testing, equal employment opportunity, human trafficking, immigration protections, independent contractors, the minimum wage, prevailing wages, wages paid, and worker privacy. As the authors point out, States enacted a greater volume of labor-related legislation in 2009 than in 2008, with 46 of the 50 States, the District of Columbia, Puerto Rico, and the Virgin Islands enacting or amending labor legislation during the year. Minimum wage was a “hot-button” issue, primarily because a number of States have laws that require them to keep their minimum wage higher than the Federal one. So, as a result of the Federal rate increasing to \$7.25 per hour in 2009, a number of States increased their rates in response. Other States made adjustments to their minimum wage rates as well, primarily because of State laws requiring them to implement annual cost-of-living increases.

This issue’s second article focuses on changes in unemployment insurance laws. In “Changes in State

unemployment insurance legislation in 2009,” Loryn Lancaster, an unemployment insurance program specialist with the Department of Labor’s Employment and Training Administration, begins the article by highlighting five key Federal legislative enactments. Two of the more commonly known enactments—The American Recovery and Reinvestment Act of 2009 and The Omnibus Appropriations Act, 2009—are among those discussed which extend benefits and provide Federal funds to States. The article also includes summaries of significant revisions to State unemployment insurance laws, many of which also include new minimum and maximum weekly benefit amounts and new confidentiality and disclosure guidelines.

“Silicon Valley is the largest and most influential high-tech center in the world,” say Amar Mann and Tian Luo in “Crash and reboot: Silicon Valley high-tech employment and wages, 2000–08.” Mann and Luo, economists at the Bureau of Labor Statistics’ West Regional Office for Economic Analysis and Information, examine the trends in Silicon Valley high-tech employment and wages during the 2000-to-2008 period. The authors find that employment and wages declined precipitously from 2000 to 2004 during the infamous “dot-com” bust, but also that both increased gradually from 2004 to 2008. The article also discusses the various factors affecting

the decline and growth of specific high-tech industries and examines trends in wage distribution and generation. Finally, the article analyzes the geographic concentration of high-tech employment in Silicon Valley and how it has changed over the 8-year period.

This issue of the *Review* concludes with a research summary by Gary Chaison, professor of Industrial Relations in the Graduate School of Management at Clark University. In the report “Union Membership Attrition,” Professor Chaison examines the validity of common assumptions regarding union membership attrition—or the gradual net loss in union members—by measuring changes in union membership in expanding and declining industries. The research summary also calculates the number of new members needed by union each year for either no change or a 1 percentage point increase in union density. The research finds that jobs in industries with large declines in employment are more often held by union members than jobs in industries with large employment increases. □

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## State labor legislation enacted in 2009

*Drug and alcohol testing, equal employment opportunity, human trafficking, immigration protections, independent contractors, the minimum wage, prevailing wages, wages paid, and worker privacy were among the most active areas in which State legislatures either enacted or revised legislation during the year*

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

**T**he legislative areas of drug and alcohol testing, equal employment opportunity, human trafficking, immigration protections, independent contractors, the minimum wage, prevailing wages, wages paid, and worker privacy were among the most active areas in which State legislatures either enacted or revised legislation during the year. Each of these areas accounted for 10 or more pieces of legislation that were enacted during the individual sessions of the State legislatures in 2009.

In 2009, the States enacted a volume of labor-related legislation greater than that enacted in 2008. The increase was due in part to the fact that all 50 States and the District of Columbia met in regular session during the year. (Only 44 of the 50 States had met in regular session in 2008.) In 2009, 46 of the 50 States, plus the District of Columbia, Puerto Rico, and the Virgin Islands, had enacted or amended labor legislation of consequence in the various categories tracked by the Wage and Hour Division of the U.S. Department of Labor.

The bills that were introduced and then enacted by the States were concerned with more than 30 categories of labor legislation

that are tracked by the Division. The 30-plus categories are agriculture, child labor, (State) departments of labor, drug and alcohol testing, employee discharge, employment agency matters, employee leasing, equal employment opportunity, family issues, garment activity, genetic testing, hours worked, human trafficking, independent-contractor issues, inmate labor, living wages, the minimum wage and tipped employees, offsite work, overtime, 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, workplace violence, and a "miscellaneous" category. Not every piece of labor legislation enacted during the course of the year falls into one of these categories. Among the legislative issues that are excluded from the article are those which (1) amend existing State law, but whose 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.

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The legislation enacted by the States in 2009 addressed a considerable number of employment standards areas and included a number of important measures. Legislation was enacted in 28 of the categories tracked.

In 2009, the minimum wage was again the “hot-button” issue, and such status was due to several factors. First, a number of States have laws that require them to keep their minimum-wage rates equal to or greater than the Federal rate. Thus, because the Federal minimum wage was increased to \$7.25 per hour on July 24, 2009, a number of States put into effect an increased minimum wage of their own. These States were empowered to do so as the result of their own previously enacted legislation. Second, some States have laws that require them to implement an increase in the minimum wage once a year, based upon the cost-of-living increase reported in various consumer price indexes. Finally, unscheduled minimum-wage legislative activity can occur during any particular year. As of December 2009, 14 States plus the District of Columbia had a minimum-wage requirement greater than the Federal minimum-wage rate. An additional 26 States had a minimum-wage rate equal to the Federal rate, 5 States had a minimum-wage rate

less than the Federal rate, and 5 States—Alabama, Louisiana, Mississippi, South Carolina, and Tennessee—had no minimum-wage requirement. (Tennessee, however, does enforce a previously enacted promised-wage law.) Besides the minimum wage, areas that showed a substantial amount of legislative activity through new or amended legislation implemented in 2009 were equal employment opportunity, prevailing wages, and worker privacy. These four categories each had 20 or more pieces of legislation enacted that dealt with those particular topics.

The remainder of this article is composed of two sections. The first provides a brief overview of legislation that was enacted in several of the most active legislative 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 2009. The second section presents a more comprehensive and detailed description of each State’s labor-related legislative activities, again subdivided by category, that resulted in laws amended or newly enacted by the individual State legislatures during the past year.

### State legislation by labor category

*Drug and alcohol testing.* Standards for drivers employed by contractor carriers in Arkansas were established in order to ensure the safe transportation of railroad employees. Among the new standards is one that disqualifies drivers from operating a vehicle for a contractor carrier if they do not pass a drug and alcohol test or if they refuse to submit a specimen for the test to be performed. The testing is done in two circumstances: before any driver performs his or her duties and if a driver is involved in an accident. Minnesota enacted legislation that requires Type III school busdrivers to undergo preemployment drug and alcohol testing. Amusement park ride operators in Oklahoma will be required to submit to voluntary drug and alcohol testing when there are grounds to believe that the operator is under the influence of drugs or alcohol while operating rides. Failure to submit to the test will result in the termination of the ride operator’s certification for 90 days. A positive test will result in the operator’s losing his or her license for 30 days and until the operator passes a subsequent test, retaken at the expense of the applicant. South Dakota developed a drug-screening program for certain applicants and employees of the Wildland Fire Suppression Division whose duties include firefighting. In the future, a program may be developed for all current

employees if there is reasonable suspicion of illegal drug use by any employee.

*Equal employment opportunity.* Delaware added the category of sexual orientation to its list of grounds upon which employers may not discriminate. The maximum age limit for an accusation of age discrimination in Indiana increased from 70 years to 75 years. In Iowa, gender balance will be required on all local boards, including commissions, committees, and councils that are established by the State Code. An exemption is granted if the political subdivision in question has made a good-faith effort for 3 months to appoint a qualified person to fill a vacancy, but has been unable to make any appointment that is compliant with State Code. Louisiana has made it illegal for employees to be held civilly or criminally liable, discriminated against, dismissed, demoted, or in any way prejudiced or damaged for declining to participate in any health care service that violates their conscience. In this case, the term “conscience” is defined as “sincerely held religious beliefs or moral convictions.” New Mexico has repealed a section of law that made it illegal for employers to hire women for employment in certain occupations or to have women work more than a certain number of hours. Employers

also will no longer be required to have certain seating available for their female employees. In New York, victims of domestic violence or stalking will no longer be allowed to be discriminated against by an employer or a licensing agency. Discrimination in this case constitutes refusing to hire or employ an applicant or barring or discharging an employee from employment. Persons enrolled in the uniformed services, including the Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, and military reserve, cannot be discriminated against by employers in Oregon on the basis of their call to service.

*Human trafficking.* Arizona has made human smuggling a Class 3 felony if it involves the use or threatened use of deadly physical force. The State also makes human smuggling of a minor who is not accompanied by a nonminor family member a Class 2 felony. In California, in any cases involving human trafficking for purposes of prostitution, lewd conduct, or procurement in which the victim is a minor, the proceeds from the offense will be deposited in the Victim-Witness Assistance Fund, to be made available for counseling centers and prevention programs treating victims of child sexual exploitation or sexual abuse. Illinois included involuntary servitude in its omnibus Health Care Worker Background Check Act. The act stipulates that knowingly subjecting another person to forced labor or services is a Class 1 felony. Upon a person's conviction of involuntary servitude, the State court shall authorize the State attorney general to seize all of the person's property declared forfeited by law. Maryland expanded the list of actions relating to human trafficking. The actions that are prohibited under the State Criminal Law now include knowingly persuading, inducing, enticing, or encouraging another to be taken to or placed in any place for prostitution. New Hampshire has prohibited trafficking in persons for purposes of sexual or labor exploitation. The State mandates the forfeiture of items used in connection with trafficking and makes such offenses involving a person less than 18 years of age subject to an extended term of imprisonment. The Washington State Revised Code was amended to require domestic employers of foreign and international workers to disclose certain information to foreign workers who have been referred to or hired by an employer located in the State. Information that is required to be disclosed includes an itemized listing of any deductions the employer intends to make from the workers' pay for food or housing; a statement asserting that the worker has the right to control his or her travel documents and is not required to surrender those documents to the employer or an international recruitment agency

while the employee is working in the United States; a statement asserting that the worker is subject to both State and Federal laws governing overtime and work hours, including the Minimum Wage Act; and a list of services or a hot line that a worker may contact if the worker thinks that he or she may be a victim of trafficking.

*Immigration protection.* Georgia mandated that every public employer in every municipality and county in the State must register and participate in the Federal work authorization program to verify the employment eligibility of all newly hired employees. Once an employer has received Federal authorization, the employer must permanently post its federally issued identification number and date of authorization on its Web site. In Hawaii, the State Contractor License Board is now able to revoke, suspend, or refuse to renew any license of a contractor who knowingly or intentionally has employed a person to perform work subject to Chapter 104 of the State Revised Statutes and who is not able to work in the United States under Federal law. Idaho will now allow foreign physicians pursuing a change in their immigration status to stay in the United States in exchange for a commitment to practice medicine in an underserved population for a 3- to 5-year period, thus establishing a National Interest Waiver. State communities may apply for placement of a foreign physician only after demonstrating their inability to recruit an American physician and only after all other recruitment and placement possibilities have proven to be unsuccessful. Individuals in Oregon cannot be issued a commercial driver's license with a hazardous materials endorsement by the State Department of Transportation if they are not a U.S. citizen or permanent legal resident. The General Assembly of South Carolina requested that Congress provide the funding and resources necessary to ensure the permanence and continued effectiveness of the E-Verify program (the program which certifies that newly hired workers are legally authorized to work in the United States). Utah redefined a "contract," in relation to verification of the Federal authorization status of a new employee, to mean "an agreement for the procurement of goods or services that is rewarded through a request-for-proposals process with a public employer." Included is a sole-source contract.

*Independent contractor.* In Colorado, physicians must now disclose any health-care-related business ownership interests, as well as any information pertaining to any health-care-related employment contracts or contracts establishing an independent contractor relationship with entities

in the State. A penalty of no less than \$1,000 and no more than \$5,000 will be imposed in Delaware for every employee that an employer misclassifies as an independent contractor in the construction services industry. Employees who have been misclassified will be able to seek damages for lost wages and benefits. Contractors must provide notice to employees of their status as independent contractors and of the implementation of such status. Indiana now allows the sharing of information concerning the classification of individuals as independent contractors among the State Departments of Labor, Revenue, and Workforce Development, as well as the Worker's Compensation Board. Certain information pertaining to employee classification is confidential and is prohibited from being published or open to public inspection. In New York, health insurance coverage for independent workers will now be authorized by the State Superintendent of Insurance in a demonstration program. Insurance companies that are eligible to participate in the program will provide periodic reports to the superintendent in order to evaluate the effectiveness of the program and help decide whether it will be expanded to other segments of the population that currently lack access to employment-based health insurance. In Oregon, the State Construction Contractors Board will now be allowed to sanction exempt independent contractors who hire one or more employees. Among the sanctions that are applicable are the revocation, suspension, or refusal to issue or reissue a license and the assessment of a civil penalty. Oregon also has established an Interagency Compliance Network that will oblige persons paying employees in cash to comply with laws relating to taxation and employment. Independent contractors in Tennessee will now be authorized to employ private special deputies to provide security and law enforcement capabilities for Federal Government and resort property. This employment will still be subject to the same provisions that apply to the employment of such deputies by a resort area owner or a management company. Washington State defined an independent contractor as an individual employed on a public-works project who is not considered to be a laborer, worker, or mechanic and consequently is not required to be paid prevailing wages.

*Minimum wage.* On July 24, 2009, the Federal minimum-wage rate increased to \$7.25 an hour. Twenty-four States—Alaska, Delaware, Florida, Idaho, Illinois, Indiana, Kentucky, Maine, Maryland, Missouri, Montana, Nebraska, Nevada, New Jersey, New York, North Carolina, North Dakota, Oklahoma, Pennsylvania, South Dakota, Texas, Utah, Virginia, and Wisconsin—and the

District of Columbia saw increases in their minimum-wage requirements in the past year. Currently, there are 10 States whose required minimum-wage rates are indexed to increases in inflation that are reported by various consumer price indexes: Arizona, Colorado, Florida, Missouri, Montana, Nevada, Ohio, Oregon, Vermont, and Washington. In a highly unusual occurrence that was the result of a decrease in the consumer price index followed by the State of Colorado, the Colorado minimum-wage requirement decreased effective January 1, 2010.<sup>1</sup> In Indiana, a single-page poster must be posted by employers to notify employees about the State's minimum-wage laws. Also, statements that include hours worked, wages paid, and any deductions made must be provided each pay period to employees working in the State. Maine amended State statutes in order to clarify the minimum-wage exemption for summer camp counselors working at day camps. As amended, the statutes now stipulate that those employees who are counselors, junior counselors, or counselors in training and who are under 18 years of age are exempt from the State minimum-wage requirement.

*Miscellaneous.* Washington, DC, is requiring all nonprofit organizations, companies, associations, contractors, and subcontractors that receive a grant or other funding under the American Recovery and Reinvestment Act of 2009 to list, on the District Department of Employment Services Web site, all jobs that will be created as a result of the grant or other funding, as well as the number of District residents who filled the positions. Kansas expanded its definition of "employee" to include medical students who are enrolled at the University of Kansas Medical Center and who are in clinical training there or at other health care institutions. Maine is requiring employers who employ a bond worker in a logging occupation to provide proof of the employer's ownership of any logging equipment used by that worker while employed. The employer must own at least one piece of logging equipment for every two bond workers. The State Home Care Act was amended in Oklahoma and now provides that no home care agency can place an individual in the role of supportive home assistant with a client on a full-time, temporary, or other basis, unless the individual has completed agency-based supportive home assistance training taught by a registered nurse. Also, each supportive home assistant will be tested through an independent entity approved by the State Department of Health. Texas now requires injured workers to obtain appropriate clearance from their treating physicians before returning to work. In Wisconsin, employers must obtain a certification or registration form from the State Department of Work-



force Development before they can hire, offer to hire, or recruit an individual to work as a traveling sales crew worker. "Traveling sales crew" is defined as "two or more individuals who are employed as salespersons or in related support work, who travel together as a group, and who are absent overnight from their permanent places of residence for the purpose of selling goods or services to consumers from house to house, on any street, or in any other place that is open to the public."

*Prevailing wage.* In Connecticut, monthly payrolls must be submitted through the U.S. mail, with first-class postage prepaid to the contracting agency, for contractors and subcontractors performing work on public-works projects in the State. Also in Connecticut, the State labor commissioner will establish classifications for all hourly nonsupervisory employees on the basis of the applicable occupation codes and titles set forth in the "Wage Determinations" section of the *Federal Register* under the Service Contract Act. The definition of "public works" was amended within the State Prevailing Wage Act in Illinois to mean "all fixed works constructed by any public body or paid for wholly or in part out of public funds." Illinois also made sure that the Prevailing Wage Act was amended to ensure that no less than the general prevailing wage rate of hourly wages be paid to all laborers employed in the construction or demolition of public works. New Jersey deemed the State Board of Public Utilities responsible for adopting rules and regulations requiring that no less than the prevailing wage rate be paid to workers employed in the performance of any construction undertaken in connection with board financial assistance or undertaken to fulfill any condition for receiving board financial assistance. The prevailing-wage requirements do not apply to any contract that is less than the prevailing-wage threshold amount set for municipalities governed by State law. The director of the State Labor and Industrial Division in New Mexico will now be able to set the prevailing-wage rates on public-works projects by using collective-bargaining agreements. Fringe benefits will be included in the prevailing wage. New York will now allow an employee, a contractor, or a certified collective-bargaining agreement agent to complain to the commissioner of the State Department of Labor if there is a violation of receipt of prompt payments when the employee, contractor, or agent is engaged in a private construction project. Arbitration can now be used by contractors as a remedy for nonpayment. In Oregon, the State commissioner of the Bureau of Labor and Industry is now charged with establishing a fee to be paid by the public agency that awards a public-works contract. The

fee shall be established at 0.1 percent of the contract price, and the monies shall be credited to the State Prevailing Wage Education and Enforcement Account. Oregon also now deems a contractor, a subcontractor of any firm, a corporation, a partnership, or an association ineligible to receive a contract or subcontract for public works for a period of 3 years if the said entity has a financial interest in any aspect of the public-works project. In Rhode Island, every contractor and subcontractor awarded a contract for public works must furnish a certified copy of its payroll records for those of its employees who are employed on the project to the State director of labor and training on a monthly basis for the preceding month's work.

*Wages paid.* State employees in California who currently participate in the direct-deposit program must now receive their statement of earnings and deductions by an electronic method. Any employees who still wish to receive a paper statement must request so in writing. For licensure as a farm labor contractor, registration as a garment manufacturer, renewal or reinstatement of the license of a farm labor contractor or the registration of a garment manufacturer registration, and changes to the names of the specified financially interested parties, California now requires the submission of a statement, under penalty of perjury, as to whether an applicant has satisfied all requirements imposed by final judgments or orders involving unpaid wages. Public school corporations; schools for the blind, deaf, and visually impaired; certain correctional institutions; certain State institutions; and the Soldiers' and Sailors' Children's Home in Indiana are allowed to enter into a 13-month compensation payment schedule for work performed during a normal 9- or 10-month school year. Montana amended State law by revising the periods within which an employer can withhold money from an employee's final paycheck in cases of theft of property or funds. New Jersey now requires that wage records under certain solid-waste contracts be reported. The report must include the name of each individual engaged in the collection and transportation of work done under the contract, as well as the actual hourly rate of wages paid to, and the actual daily, overtime, and weekly hours worked by, the said individual. In New Mexico, civil action can be taken by an employee in the case of a wage-and-hour violation by an employer as long as the action is brought within 3 years after the last violation occurred. Those employers who violate the State Minimum Wage Act will be guilty of a misdemeanor and, upon conviction, will be sentenced and held liable to the affected employees in the amount of their unpaid or underpaid minimum wage, plus inter-

est and an additional amount equal to twice the unpaid or underpaid wages. New York now requires employers (1) to provide employees, at the time they are hired, with written notice of their regular and overtime hourly wage rates and (2) to obtain written acknowledgement from employees of receipt of such notice. For purposes of State law as defined in the North Dakota Century Code, employee wages are due at each regular payday immediately following the work period during which the wages are earned. Employees can file a claim for wages due with the State Department of Labor no later than 2 years from the date the wages were due. Oregon enacted legislation mandating that all compensation by a home health agency providing health care services or a hospice program providing hospice services to nurses providing either home health care services or hospice services must be based on an hourly rate rather than on a per-visit basis. In Texas, wage claims must be filed no later than the 180th day after the date the wages claimed became due for payment.

*Worker privacy.* Information identifying State employees in Alabama will be excluded from records that are available for public inspection. In lieu of a salary schedule, an education service cooperative may now submit to the Arkansas State Department of Education a complete listing of all employees of the cooperative, together with each employee's position, salary, and benefits received. California now requires that Federal funds received under the American Recovery and Reinvestment Act of 2009 be used for state-wide education information systems aimed at facilitating the sharing and transfer of information contained in one segment of the system to another and that ultimately include linkages to workforce data. Agencies in Florida must now identify, in writing, the specific Federal or State law governing the collection, use, or release of Social Security numbers, as well as each purpose for which the agency collects the information, including any authorized exceptions that apply to the collection, use, or release of such information and that ensure compliance with the law. Employees

must receive, in writing, a statement asserting that the collection of their Social Security numbers is authorized or mandatory under Federal or State law. For the purposes of protecting against identity theft, the State of Idaho advised all directors of State agencies to use care and vigilance in protecting the personal data and private information of their employees, as well as all State citizens. In Kansas, information contained in responses to wage and salary surveys conducted by the director of personnel services to provide wage and salary information about jobs and other public and private employment in the State will be confidential and not subject to disclosure under the State Open Records Act. Information can be disclosed upon submission of a written request, as long as no person or entity can be identified in the information. North Dakota amended its State Century Code to provide that any record containing the work schedule of employees of a law enforcement agency is exempt from public disclosure. It is now unlawful for any public or private employer in Oklahoma to ask applicants for a job if they own or possess a firearm. Any employer who violates this provision will, upon conviction, be guilty of a misdemeanor punishable by a fine of \$1,000. In Utah, any information provided to an employer by an applicant during the initial selection phase of the hiring process may not be shared with a person other than the employer. Vermont expanded its list of employers permitted to require polygraph examinations to include (1) the Department of Fish and Wildlife (for applicants for law enforcement positions), (2) the Department of Liquor Control, and (3) the Liquor Control Board (for applicants for investigator positions). West Virginia has exempted certain records of the State Division of Corrections and Regional Jail Authority from being disclosed under the Freedom of Information Act. Among the records exempted are those containing information pertaining to the operation, staffing, equipping, or escape and emergency contingency plans relating to any jail or correctional facility when the disclosure would jeopardize the safe, secure, and orderly operation of the jail or correctional facility.

## State legislation by State

### Alabama

*Child labor.* The State Child Labor Law was amended in a number of particulars. Employers are now required to obtain a child labor certificate from the State Department of Labor in order to employ a minor who is between 14 and 17 years of age, and the minor may be employed only in a nonhazardous occupation. Employers shall verify each minor's age, using documents recognized by

Federal employee identification laws. Employers seeking to employ a minor 14 to 15 years of age in a nonagricultural occupation must seek a Class I Child Labor Certificate from the State Department of Labor. Such employment may be suspended if the minor's school attendance and performance record are not deemed satisfactory by the head administrator or home school instructor. Employers seeking to employ a minor 16 to 17 years of age in a nonagricultural occupation shall ob-

tain a Class II Child Labor Certificate from the State Department of Labor. The law now prohibits a minor who is under 16 years of age from selling fireworks, unless the minor is supervised by a person at least 18 years of age. For each minor under 19 years of age, employers shall keep, on or about the premises at which the minor is employed, a separate file containing specified information about the minor, along with time records indicating the minor's hours of work and break times. The

employer shall keep the records for 3 years. Educational, charitable, religious, scientific, historical, literary, and nonprofit organizations in which no employer-employee relationship exists or in which the services rendered to such an organization are on a voluntary basis (as well as any other activity designated by the State commissioner of labor) are exempt from complying with the requirements of the law that prohibit any person under 14 years of age from distributing, selling, exposing, or offering for sale newspapers, magazines, periodicals, candy, or other articles and from being employed or permitted or suffered to work in any other trade or occupation performed in any street or public place. The law also provides for certificate fees, along with increased fines for noncompliance. Civil penalties for the employment of a minor without a certificate are \$50. Civil penalties for violations of other requirements of the State Child Labor Laws range from \$300 to \$5,000.

*Equal employment opportunity.* The State House of Representatives adopted a resolution that established the State Equal Pay Commission, which is to be composed of nine members of the house of who are appointed by the State Speaker of the house. The commission is charged with making a full and complete study and report on (1) the extent of wage disparities between men and women and between minorities and nonminorities, (2) the factors that tend to cause the disparities, including segregation between men and women, and between minorities and nonminorities, across and within occupations and payment of lower wages for work in female-dominated occupations, (3) the consequences of the disparities on the economy and the families affected, and (4) actions, including proposed legislation, that are likely to lead to the elimination and prevention of the disparities. Upon submission of the report on the 10th legislative day of the 2010 regular session of the house, the commission established by the resolution shall dissolve.

*Immigration protections.* The State Sunset Committee amended the State's Sunset Law and recommended the continuance of the State Licensure Board for Interpreters and Translators, with only one statutory change: all applicants applying to renew their permits to practice as interpreters or translators must be citizens of the United States or, if not, must be legally present in the United States and must have appropriate documentation from the Federal Government.

*Worker privacy.* The State enacted legislation excluding information identifying State employees from records that are available for

public inspection. Notwithstanding any other law to the contrary, a State department, licensing or regulatory board, agency, or commission is prohibited from placing or otherwise revealing information identifying an employee, including, but not limited to, full-time or part-time employees, in any document that is available for public inspection, including, but not limited to, State personnel evaluation forms and any other forms related thereto, unless otherwise required by law, without the express consent of the person the information would identify or, in the case of a minor, the consent of that person's parent, custodian, legal guardian, or legal representative. The foregoing prohibition shall not apply to a bona fide news organization or when a Federal or State agency makes a request, or releases identifying information, for a legitimate government purpose or pursuant to a Federal or State statute, regulation, or federally funded program, or pursuant to an administrative or judicial subpoena or order.

## Alaska

*Minimum wage.* The State increased the minimum-wage requirement for hours worked in a pay period, regardless of the method of measurement (time, piece, commission, or otherwise). An employer shall pay each employee wages at a rate that is not less than \$7.25 an hour between July 24, 2009, and December 31, 2009, and, after that, not less than 0.50 an hour more than the Federal minimum wage. The State minimum wage was increased to \$7.75 per hour on January 1, 2010. An employer may not apply tips or gratuities given to an employee either as a credit toward payment of the minimum hourly wage or to the State's minimum wage.

## Arizona

*Equal employment opportunity.* The house body of the State legislature adopted a resolution proposing an amendment to the State constitution relating to both preferential treatment and discrimination. The resolution stipulates that the State shall not grant preferential treatment to, or discriminate against, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting. The proposed amendment does *not* (1) prohibit bona fide qualifications based upon sex that are reasonably necessary to the normal operation of public employment, public education, or public contracting; (2) prohibit action that must be taken to establish or maintain eligibility for any Federal program if ineligibility would result in a loss of Federal monies to the State;

or (3) invalidate any court order or consent decree that is in force as of the effective date of this new section of the State statutes. The remedies available for a violation of this section of the statutes are the same, regardless of the injured party's race, sex, color, ethnicity, or national origin, and are otherwise available for a violation of the existing antidiscrimination laws of the State. For purposes of the resolution/amendment, the term "State" includes this State and any city, town or county, public university, community college district, school district, special district, or any other political subdivision of the State. The constitution of the State will be amended upon proclamation of the State Governor if this resolution is approved by the voters.

*Human trafficking.* It is unlawful for a person to knowingly traffic another person who is 18 years or older, by deception, force, or coercion, including trafficking for forced labor or services, with the intent to cause the other person to engage in, or with the knowledge that the other person will engage in, any prostitution or sexually explicit performance. It is also illegal to knowingly destroy, conceal, remove, confiscate, possess, or withhold the other person's actual or purported passport or other immigration document, government-issued identification document, government record, or personal property. If an individual is found guilty of a violation related to trafficking (a Class 2 felony) and a sentence is imposed, it shall be consecutive to any other sentence that has been imposed. If the victim is under 15 years of age, the offense is considered a dangerous crime against children and is punishable by laws governing that behavior. Trafficking of persons for forced labor or services also shall be a Class 2 felony, where "trafficking" means "knowingly trafficking another person with the intent or knowledge that the other person will be subject to forced labor, and thereby the trafficker will benefit, either financially or by receiving anything of value, from participation in that venture," and where the definition of "forced labor" incorporates the infractions of causing or threatening to cause serious physical injury to any person or restraining or threatening to physically restrain another person.

The State also established a Class 2 felony for human smuggling of a minor who is not accompanied by a nonminor family member and that involves the use of a deadly weapon.

The State now provides that human smuggling is a Class 3 felony if it involves the use or threatened use of deadly physical force. A person accused of a Class 3 felony is not eligible for suspension of sentence, probation, pardon, or release from confinement on any other basis until the sentence imposed

by the court is served, the person is eligible for release, or the sentence is commuted. The definition of “smuggling of human beings” has been expanded to include persons who have attempted to enter, have entered, or have remained in the United States illegally. “Procurement of transportation” is defined as “participation in, or facilitation of, transportation” and includes providing services that facilitate transportation, including travel arrangement services or money transmission services, or providing property that facilitates transportation, including a weapon, a vehicle, or some other means of transportation or false identification, or selling, leasing, renting, or otherwise making available a drop house. A “drop house” is defined as a property that is used to facilitate smuggling.

*Immigration protections.* An agency or political subdivision of the State shall not issue a license of any kind to an individual if the individual does not provide documentation of citizenship or alien status by presenting one of the many documents that authorizes the individual to be in the United States under Federal law. This requirement is not applicable if the individual is a citizen of a foreign country or if, at the time of the application for the license, the individual resides in a foreign country. In addition, the benefits that are related to the license do not require the individual to be present in the United States in order to receive those benefits. If the individual applying for the license has affirmatively established citizenship in the United States or has a form of nonexpiring work authorization issued by the Federal Government, then, on renewal of, or reinstatement for, the license, the individual is not required to provide subsequent documentation of his or her citizenship status. If, however, the individual holds an expired, limited form of work authorization issued by the Federal Government, then the person must provide documentation of his or her status.

*Worker privacy.* The State statutes were amended to capture changes in the rules relating to monies withheld from an employee’s wages as those rules pertain to withholding taxes. The information supplied by an employee to an employer regarding the employee’s election to have the employee’s withholding tax reduced for the purposes of contributions to qualifying charitable organizations, qualified school tuition organizations, or public schools has been added to the types of information that are considered confidential.

## Arkansas

*Drug and alcohol testing.* Legislation was enacted to ensure the safe transportation of

railroad employees’ contractor carriers by establishing standards for drivers employed by the carriers and the motor vehicles used by the carriers. The legislation defines a “contractor carrier” as “a passenger contractor carrier that, for compensation, transports railroad employees with a vehicle designed or used to transport eight or fewer persons, including the driver.” A contract driver business entity will maintain a driver qualification file for each driver it employs, and that file shall contain documentation that establishes the driver’s driving record. A driver is disqualified from driving for a contractor carrier if the driver has committed two or more serious traffic violations within a 3-year period. Before any driver performs duties for a contractor carrier, the driver must undergo testing for alcohol and controlled substances. The driver will be disqualified from operating a vehicle for the contractor carrier if the driver does not pass the drug and alcohol testing or refuses to submit a specimen, as provided under 49 CFR, parts 40 and 382, for the test to be performed. As soon as is practicable after an accident involving a vehicle operated by a contractor carrier, the driver will be tested for alcohol and controlled substances if the accident involved the loss of human life or if the driver received a citation for a moving traffic violation arising from the accident. The legislation also specifies (1) the amount of time a driver can remain on duty, (2) the contractor carriers’ responsibility for maintaining accurate time records, (3) the establishment of a weekly maintenance and repair program that includes inspections, and (4) a listing of items that every contractor carrier must include.

The portion of the State Code concerning medical examinations as a condition for employment was amended to clarify that employer-required drug tests are to be provided at no cost to employees and to applicants for employment. The clarification in the law also stipulates that, upon a written request from the applicant or employee, the employer must provide, free of charge, a copy of the examiner’s report of the results of the test. However, if an employee tests positive for an illegal drug as defined by rule of the State Department of Labor, then the employer and employee may agree in writing who will bear the cost of future drug tests or screens as a condition of continued employment. The State Code section concerning medical examinations as a condition of employment also was amended to add two new subsections. Under the new subsections, the director of the State Department of Labor is charged with administering and enforcing the new law, without limitations and including adopting administrative rules, demanding payment, and seeking recovery, in a court of competent jurisdiction, for charges, fees, wage deductions, or other payments made by employees as a result of an employer’s violation of

the amended State Code, as well as expressly stating that this amended State Code does not change the definition of “medical examination” under any other State or Federal statute.

The State defines a “consortium/third-party administrator” as “a service agent that provides, or coordinates the provision of, drug and alcohol testing services to employers that are required to comply with the drug and alcohol testing provisions under the Federal Motor Carrier Safety Regulations, 49 C.F.R., pts. 250–399.” The State defines an “employee” as “a person who holds a State commercial driver’s license and is currently performing a safety-sensitive transportation job, or is an applicant for employment in a safety-sensitive transportation job, and is subject to drug and alcohol testing.” An “employer” is defined as “a State person or entity employing one or more employees subject to the drug and alcohol testing provisions under the Federal Motor Carrier Safety Regulations.” Consortium/third-party administrators must report to the Office of Driver Services of the Revenue Division of the State Department of Finance and Administration with the results of testing within 3 business days of the day the drug and alcohol tests were administered.

*Department of labor.* The director of the State Department of Labor may now seek to recover, in a court of competent jurisdiction, fees charged or collected in an unlawful manner under the State Private Employment Agency Act.

Legislation was enacted that adjusted for inflation the amount in controversy regarding wage disputes heard and decided by the director of the State Department of Labor. Under the portion of the State Code affected by the legislation, “labor” now means “work or services performed by a person employed for a period for which the wages, salary, or remuneration for the work or services is to be paid at stated intervals or at the termination of the employment or, for physical work actually performed by an independent contractor, if the amount in controversy does not exceed the sum of \$2,000.” The previous amount in controversy was limited to \$1,000.

*Inmate labor.* Legislation was enacted which directed that all inmates in the State who are committed to the State Department of Corrections be given a medical examination during the intake process. On the basis of the examination, a medical provider will determine what restrictions, if any, shall be placed on the inmate’s work assignments. Inmates will not be permitted to complete a work assignment that conflicts with an updated restriction determined by the medical provider.

*Time off.* The State legislature enacted legislation that now requires employers to provide

unpaid break time and reasonable locations for expressing breast milk. As stated in the revised State Code, employers are now required to provide reasonable unpaid break time each day to an employee who needs to express breast milk for her child in order to maintain her milk supply and comfort. Where possible, the break time required by the legislation shall run concurrently with any paid or unpaid break time already provided to the employee. The employer shall make a reasonable effort to provide a private, secure, and sanitary room or other location in close proximity to the work area, other than a toilet stall, where an employee can express breast milk. The legislation does not, however, require an employer to provide break time if doing so would create an undue hardship on the operations of the employer.

*Worker privacy.* Legislation was enacted that affected the section of the State Code concerning the personnel policies of education service cooperatives. Under the amended legislation, in lieu of a salary schedule, an education service cooperative may submit to the State Department of Education a complete listing of all employees of the cooperative, together with each employee's position, salary, and benefits received.

## California

*Agriculture.* The State Planning and Zoning Law provides for the adoption and administration of zoning laws, ordinances, rules, and regulations by a city, county, or city and county. The legislation enacted stipulates that its provisions concerning the filing of subdivision maps are not applicable to leases of agriculturally zoned land to nonprofit organizations for the purpose of operating an agricultural labor housing project on the property. Three conditions make the leases inviable: (1) the property to be leased shall not be more than 5 acres; (2) the lease shall be for not less than 30 years; and (3) the lease shall be executed prior to January 1, 2017.

*Child labor.* Subject to specified requirements and conditions, the principal of a public or private school is now authorized to issue, or is authorized to designate another administrator in the school to issue, work permits to pupils who attend the school. The hour limitations that apply to a work permit issued by any of the officials or other employees authorized to issue work permits are to be based upon the school calendar of the school the pupil attends.

*Equal employment opportunity.* Legislation was enacted that expresses support for the

Federal Employment Non-Discrimination Act of 2009, which prohibits employment discrimination on the basis of sexual orientation and gender identity. The bill urges Congress to pass the Act and the President to sign it.

*Hours worked.* Legislation was enacted that, effective July 1, 2011, requires the standardized health care provider timesheet to contain designated spaces for the index fingerprint of the provider and the recipient. Minors and individuals who are physically unable to provide a fingerprint on the timesheet because of amputation or some other physical limitation are exempt from the requirement. The standardized provider timesheet must contain a certification, to be signed by the provider and the recipient, verifying that the information reported on the timesheet is true and correct, as well as a statement that the provider or recipient may be subject to civil penalties if the information is found to be untrue or incorrect. A person convicted of fraud resulting from intentional deception or misrepresentation shall, in addition to any criminal penalties imposed, be subject to a civil penalty of at least \$500, but not to exceed \$1,000, for each violation.

*Human trafficking.* The State amended Sections 186.2, 186.8, 266k, and 13837 of the State Penal Code to provide that, in any case involving human trafficking of minors for purposes of prostitution or lewd conduct or involving procurement in which the victim is a minor, the proceeds will be deposited in the Victim-Witness Assistance Fund, to be available for appropriation to fund counseling centers and prevention programs for victims of child sexual exploitation and child sexual abuse. Fifty percent of the funds deposited will be granted to community-based organizations that serve minors who are victims of human trafficking.

*Plant closing.* No less than 120 days prior to the intended date of the permanent closure of a continuing-care retirement community facility, the facility must provide written notice to the State Department of Social Services and to the affected residents and their designated representatives.

*Prevailing wage.* Under existing law, the State director of industrial relations is the administrator responsible for overseeing the application of State law governing apprenticeships. Every apprentice employed on public-works projects must be paid the prevailing rate of per diem wages, and every employer who employs apprentices must comply. Certain public-works projects are exempt from the prevailing-wage requirements if the awarding body initiates and enforces a labor compliance

program that meets specific statutory and regulatory requirements and ensures compliance therewith. Legislation amending the current law permits the awarding body that implements an approved labor compliance program for apprentices to allow a contractor to appeal the result of an enforcement action through specified procedures. If the chief of the State Division of Apprenticeship Standards gets involved in a labor compliance program, then enforcement action is limited to a review of an assessment and the matter is resolved without litigation by or against the chief. The awarding body shall enforce any applicable penalties.

*Time off.* New legislation defines a "work unit" to include a division, a department, a job classification, a shift, a separate physical location, or a recognized subdivision of any of these. A work unit may consist of an individual employee, as long as the criteria for an identifiable work unit are met.

Legislation was enacted that establishes a right to employment leave and other employment protections for members of the State wing of the Civil Air Patrol (CAP). The bill now requires the amount of leave currently authorized for eligible employees to be no less than 10 days per year. Emergency operational missions can occur within or outside of the State. During an emergency, leave to carry out an operational mission will not exceed 3 days unless an extension of time is granted by the governmental entity authorizing the mission and the extension is approved by the employer. The bill specifies that an employer is not required to grant CAP leave to an employee who is ordered to respond to either the same or another, simultaneous, emergency operational mission to which a first responder or disaster service worker is responding for a Federal, State, or local agency. An employer with at least 15 employees must, among other things, not discriminate against an employee because of his or her membership in the CAP, not hinder any member or prevent a member from performing services as part of the CAP during an emergency operational mission, provide no less than 10 days per year of unpaid leave to an employee responding to an operational emergency as a member of the CAP, and require certification from the proper CAP authority to verify an employee's eligibility for leave. The legislation also specifies that the employer may deny CAP leave if the employee fails to provide the required certification and that an employee taking CAP leave shall not be required to first exhaust accrued vacation leave, personal leave, compensatory leave, sick leave, disability leave, or any other leave.

*Wages paid.* The State enacted legislation that specifies certain requirements related to

the application and renewal of licenses and registration by farm labor contractors and garment manufacturers. Specifically, the bill requires the submission of a statement, under penalty of perjury, as to whether an applicant has satisfied all requirements imposed by final judgments or orders involving unpaid wages, for licensure as a farm labor contractor, registration as a garment manufacturer, or renewal or reinstatement of a farm labor contractor license or a garment manufacturer registration. The bill also requires the State labor commissioner to reject an application if the aforementioned statement indicates that the applicant has failed to satisfy all requirements of a judgment, order, or accord involving unpaid wages, unless the applicant has submitted either a bond or cash deposit in an amount sufficient to guarantee payments of all amounts due or a notarized accord demonstrating that the applicant has satisfied all requirements imposed by the judge, order, or accord pertinent to the unpaid wages. The commissioner is authorized to reduce the amount of a required bond or cash deposit upon proof of partial satisfaction of the judgment, order, or accord, but not below the unpaid wage balance. The bill's requirements do not apply to unpaid wages discharged in a bankruptcy proceeding.

Legislation was enacted which requires that State employees who currently participate in the direct-deposit program receive their statement of earnings and deductions by an electronic method. Employees still may request a paper version of the statement if they so state in writing.

*Worker privacy.* The State enacted legislation which requires that Federal funds received under the American Recovery and Reinvestment Act of 2009 be used for State education information systems aimed at facilitating the sharing and transfer of data from one segment of the system to another and that ultimately include linkages to workforce data. The bill specified that data elements and codes included in the State Education Information System be maintained in compliance with any other applicable Federal or State law that could be interpreted as protecting the privacy and confidentiality of individual pupils or personnel. The bill deleted the prohibition on data contained in the California Longitudinal Teacher Integrated Data Education System (CALTIDES) from being used either solely or in conjunction with the California Longitudinal Pupil Achievement Data System for purposes of pay, promotion, sanction, or personnel evaluation of an individual teacher or groups of teachers or for any other employment decisions related to individual teachers. The bill now prohibits data in CALTIDES from being used in violation of any Federal or State law that is intended to protect either an individual's right to privacy or the confidentiality of an individual's personal information.

## Colorado

*Equal employment opportunity.* The State Revised Statutes were amended to extend the existence of the State Civil Rights Commission of the State Civil Rights Division until July 1, 2018. The amendment gave the commission expanded authority to initiate complaints and to order the payment of compensatory and punitive damages. The director and staff of the division shall now receive, investigate, and make determinations on charges alleging unfair or discriminatory practices in violation of State law. The protections provided by anti-discrimination laws also were expanded, to include adverse employment actions that affect an employee's terms, conditions, or privileges of employment.

*Family issues.* The State enacted legislation concerning parental involvement in kindergarten through 12th-grade education via the utilization of leave for academic activities. An employee is entitled to take leave, not to exceed 6 hours in any 1-month period and not to exceed 18 hours in any academic year, for the purpose of attending an academic activity for or with the employee's child. Alternatively, the employer and employee may agree to an arrangement allowing the employee to take paid leave to attend an academic activity and, within the same workweek, to work the amount of hours of paid leave taken. Notwithstanding the previous provisions, an employer may limit the ability of an employee to take leave in cases of emergency or other situations that may endanger a person's health or safety or in a situation in which the absence of the employee would result in a halt of service or production.

*Independent contractor.* Legislation was enacted that modified the disclosure requirements imposed on licensed physicians under the Michael Skolnik Medical Transparency Act. In addition to previous requirements, physicians must now disclose any health-care-related business ownership interests and any information pertaining to health-care-related employment contracts or contracts establishing an independent contractor relationship with any entities. This requirement must be met if the annual aggregate value of the contracts exceeds \$5,000. The licensee shall report updated information regarding any health-care-related business ownership interests and any health-care-related employment contracts or contracts establishing an independent contractor relationship within 1 year after a change in that information.

The erroneous misclassification of employees as independent contractors in violation of the State Employment Security Act, which defines the employment relationship, leads to underpayment of employment taxes that employers are obligated to pay the State

for covered employment. Thus, businesses that misclassify employees gain an unfair competitive advantage over businesses that properly classify employees and pay taxes to the State. Deliberate misclassification also precludes employees from receiving State protections against economic insecurity. To counteract this violation of the law, any person may, with appropriate documentation, file a written complaint addressed to the director of the State Department of Labor and Employment, Division of Employment and Training, alleging that an individual is being misclassified by an employer. No later than 30 days after receipt of a complaint, the director shall determine whether an investigation is warranted. Upon the conclusion of an investigation, the director shall issue a written order either dismissing the complaint or finding against the employer, with the latter resulting in the employer being ordered to pay back taxes owed and interest. Upon finding a violation, the director may impose a fine of up to \$5,000 for the first misclassified employee and up to \$25,000 for a second or subsequent misclassification. Upon finding a second or subsequent violation, the director may prohibit the employer from contracting with, or receiving any funds for the performance of contracts from, the State for up to 2 years.

*Minimum wage.* In a highly unusual occurrence that is due to a decrease in the consumer price index followed by the State, the State minimum-wage requirement decreased from \$7.28 per hour to \$7.24 per hour effective January 1, 2010.

*Miscellaneous.* Under the State Revised Statutes, unlicensed persons who administer medication in a facility must pass a competency evaluation as a condition of employment at least once every 5 years. Competency evaluations shall now be required of facility operators and administrators as well. "Facility" is defined as "the correctional facilities under the supervision of the executive director of the department of corrections, including, but not limited to, minimum-security facilities; jails; community correctional facilities; the regimented inmate discipline and treatment program; the Denver regional diagnostic center; institutions for juveniles; assisted-living residences; adult foster-care facilities; alternate-care facilities; residential-care facilities; secure residential treatment centers; facilities that provide treatment for mentally ill persons, except for those facilities which are publicly or privately licensed hospitals; all services funded through, and regulated by, the State Department of Human Services in support of persons with developmental disabilities; and adult daycare facilities."

## Connecticut

*Equal employment opportunity.* The State General Statutes concerning penalties for violations of certain statutes pertaining to personnel files and equal pay for equal work were amended. Under the new amendments, employers shall not discriminate in the amount of compensation paid to any employee on the basis of sex. Any difference in pay based on sex shall be deemed discriminatory. If an employee can demonstrate that his or her employer discriminates on the basis of sex by paying wages to employees at a rate less than the rate at which the employer pays wages to employees of the opposite sex for equal work on a job, the performance of which requires equal skill, effort, and responsibility, the employer must demonstrate that the differential in pay is pursuant to (1) a seniority or merit system, (2) a system that measures earnings by quantity or quality of production, or (3) a differential system based upon a bona fide factor other than sex, such as education, training, or experience. This bona fide factor is a defense only if the employer can demonstrate that it is not based upon or derived from a sex-based differential in compensation and is job related and consistent with business necessity. No employer shall discharge, expel, or otherwise discriminate against any person because the person has opposed a discriminatory compensation practice or has filed a complaint, testified, or assisted in any discrimination proceeding. Any action or prosecution shall be brought within 2 years, or within 3 years if such violation is intentional or committed with reckless indifference.

*Family issues.* The State enacted legislation that permits an eligible employee to take up to 26 weeks of leave from work under the State Family and Medical Leave Act (FMLA) in order to care for each immediate family member or next of kin who is a current member of the U. S. Armed Forces, National Guard, or military reserves and who is (1) undergoing medical treatment, recuperation, or therapy, (2) otherwise in outpatient status, or (3) on the temporary disability retired list for a serious injury or illness. "Next of kin" is defined as the service member's "nearest blood relative, other than his or her spouse, parent, or child, in the following order of priority: (1) blood relatives who have been granted legal custody of the service member by court decree or statutory provisions, (2) siblings, (3) grandparents, (4) aunts and uncles, and (5) first cousins." The bill provides for 26 weeks of leave over a 12-month period under the private-sector law and 26 weeks of leave over a 2-year period for a permanent employee under the State law. Under both private and State employee provisions, the leave is a one-time benefit for each Armed Forces member,

for each serious injury or illness incurred in the line of duty. Under the private-sector law, the 12-month period begins on the first day of military caregiver leave. The bill incorporates the new military caregiver leave into existing provisions of State FMLA laws for private-sector and State employees regarding written certification of medical need, intermittent leave, and other items. The bill specifies that leave taken pursuant to private-sector State FMLA provisions does not run concurrently with a transfer to "light duty" work in place of regular work duties under the Workers' State Compensation Act.

*Prevailing wage.* Legislation was enacted that requires contractors and subcontractors performing work on State public-works projects to submit monthly payrolls through the U.S. mail, with first-class postage prepaid to the contracting agency. The submissions must certify that (1) the records are correct, (2) the wage rate paid to each covered employee is at least the prevailing-wage rate, (3) the employer has complied with the prevailing-wage law, and (4) the employer is aware that knowingly filing a false certified payroll is a Class D felony. Covered employees include each person performing the work of a mechanic, laborer, or worker.

Under State law, the term "prevailing rate of wages" refers to the hourly wages paid for work performed within the city of Hartford under the collective-bargaining agreement covering the largest number of hourly non-supervisory employees employed in Hartford County in each classification, provided that the agreement covers no fewer than 500 employees in the classification. For the purpose of predetermining the standard rate of covered wages on an hourly basis, the State labor commissioner shall establish classifications for all hourly nonsupervisory employees on the basis of the applicable occupation codes and titles set forth in the "Wage Determinations" section of the *Federal Register* under the Service Contract Act. When any employer who is a provider of food, building, property, or equipment services by contract or agreement with the State is awarded a contract to perform services that are substantially the same as services that have been rendered under a predecessor contract, the employer shall retain, for a period of 90 days, all employees who had been employed by the predecessor, unless the employees worked less than 15 hours per week or had been employed at the site for less than 60 days. No employee shall be discharged without just cause, and if the performance of the retained employee is satisfactory, the successor contractor shall offer the employee continued employment for the duration of the contract. Each employer shall keep, maintain, and preserve such records relating to the wages and hours worked by

each employee, as well as a schedule of the occupation or work classification at which each person is employed during each workday and workweek, to ensure that proper payments are due to each employee. If no prevailing rate of wages or benefits was in effect at the time the State entered into a franchise agreement, then the employer shall not be required to pay the prevailing rate of wages during the life of the agreement, unless the agreement is amended, extended, or renewed.

## Delaware

*Equal employment opportunity.* Legislation was enacted that added the term "sexual orientation" to the previously existing list of prohibited discrimination practices. The amended act prohibits discrimination against a person by employers and others, on the basis of sexual orientation, in employment, housing, public-works contracting, public accommodations, and insurance. With respect to discriminatory practices based upon sexual orientation, the term "employer" does not include religious corporations, associations, or societies, whether supported, in whole or in part, by government appropriations, except where the duties of the employment or employment opportunity pertain solely to activities of the organization that generate unrelated business income subject to taxation under the Internal Revenue Code of 1986. Alleged violations of the amended act will be heard and adjudicated by the State Superior Court in the first instance.

*Independent contractor.* The State enacted legislation that provides a penalty of no less than \$1,000, and no more than \$5,000, for every employee an employer misclassifies as an independent contractor in the construction services industry. Employees who are misclassified will be able to seek damages for lost wages and benefits. Further, the bill requires contractors to provide notice to each employee of his or her status as an independent contractor and of the implementation of such status. Employers are required to keep, for at least 3 years in the place of business, records that contain the name, address, occupation, and classification of each employee or independent contractor; the rate of pay of each employee and the method of payment for each independent contractor; the amount that is paid each pay period to each employee; the hours that each employee works each day and week; and the written notice of the classification of any individual as an independent contractor. The State Department of Labor will adopt regulations establishing specific requirements for the content and form of the notice within 1 year of the effective date of this act. If, within 30 days of a written re-

quest from the State Department of Labor, an employer fails to produce the records requested, the employer may be subject to a stop-work order and an administrative work penalty, not to exceed \$500 per day, for each day that the records are not produced. If an employer is found to have discriminated against an employee who has made a complaint, the employer may be subject to a civil penalty of no less than \$5,000 and no more than \$10,000. Employers will be subject to an administrative penalty of \$20,000 for each employee they have not properly classified and may be debarred for 5 years if they have been found, by a final order of a court or the department, to have violated the pertinent chapter of the State Code twice in a 2-year period.

*Minimum wage.* The State minimum-wage requirement was increased to \$7.25 per hour.

*Workplace violence.* The State Governor issued an Executive order regarding State policy for State employees affected by domestic violence. The Human Resources Management Section of the State Office of Management and Budget has been ordered to prohibit discrimination against employees who are victims of domestic violence. The section shall draft a statewide policy to address issues of domestic violence affecting employees of State agencies. The policy shall include reasonable guidelines, practices, procedures, and protocols for State employees to follow in order to mitigate the personal and economic effects of domestic violence. All executive agencies are directed to create a supportive workplace for victims of domestic violence. The new policy encourages the disclosure of domestic violence, ensures confidentiality for victims and their families, and promotes the availability of programs and resources to aid victims of domestic violence.

## District of Columbia

*Minimum wage.* The District minimum-wage requirement was increased to \$8.25 per hour.

*Miscellaneous.* All nonprofit organizations, companies, associations, contractors, and sub-contractors that receive a grant or other funding under the American Recovery and Reinvestment Act (ARRA) of 2009 shall list all jobs that will be created as a result of the grant or other funding and shall provide the list to the District Department of Employment Services for posting on the department's Web site. Once the positions created as a result of the grant or other funding have been filled, a list of the number of District residents hired for the ARRA-funded positions will be made available to the Department of Employment Services. The mayor shall maintain a list of the positions that have been given to residents, and this informa-

tion shall be reported to the District Council.

## Florida

*Employee leasing.* The State enacted legislation which provides that employee leasing companies be held responsible for producing quarterly reports concerning the clients of the company and the internal staff of the company. Employee leasing companies also are required to submit a report to the State Labor Market Statistics Center within the State Agency for Workforce Innovation. Besides listing each client establishment and each establishment of the employee leasing company, the report must include, among other things, the trade name of the establishment; the month and year that the client entered into the contract for services; and the number of full-time and part-time employees who worked during the pay period that includes the 12th of the month, for each month of the quarter, or who received pay that was subject to unemployment compensation taxes. The report must be submitted electronically in a manner specified by the Bureau of Labor Statistics of the U.S. Department of Labor.

*Human trafficking.* Section 787.07 of the amended State statutes was revised. Now any person who transports an individual into the State who the person knows, or should know, is illegally entering the United States from another country commits a misdemeanor of the first degree. The revised amended State statutes also indicate that the commission of a misdemeanor of the first degree is punishable by a definite term of imprisonment not exceeding 1 year. Furthermore, a person commits a separate offense for each individual he or she transports into the State in violation of the revision of the amended State statutes.

*Minimum wage.* The State minimum-wage requirement was increased to \$7.25 per hour.

*Time off.* If a member of the State National Guard is ordered into active duty on behalf of the State, an employer may not discharge, reprimand, or in any other way penalize the member because of his or her absence by reason of State active duty. Upon completion of active duty, the member of the National Guard shall promptly notify the employer of the member's intention to return to work. The employer is not required to allow a member of the National Guard to return to work if (1) the employer's circumstances have so changed as to make employment impossible or unreasonable or employment would impose an undue hardship on the employer; (2) the employment from which the member left to serve will be for a brief, nonrecurrent period and there is no reasonable expectation that

such employment will continue indefinitely or for a significant period; or (3) the employer had legally sufficient cause to terminate the member at the time the member left for active duty. Upon return from active duty, (1) the member is entitled to the seniority he or she formerly held at the place of employment on the date the member began service, plus any additional seniority that would have accrued had the member maintained continuous employment; (2) the member may not be terminated for a period of 1 year, except for cause; and (3) the employer may not require the member to use vacation, annual, compensatory, or any similar leave for the period of the active duty service, except that the member may use all forms of leave accrued subsequently. Finally, in addition to any other penalty provided by State or Federal law, a person is liable for a civil penalty of no more than \$1,000 per violation for violating the protections afforded to members of the U.S. Armed Forces, military reserve, or National Guard.

*Worker privacy.* The Social Security numbers of all current and former State agency employees are confidential. Because Social Security numbers were intended to be used, not for business purposes, but solely for the administration of the Federal Social Security system, over time they have increasingly been used for identity verification, and they sometimes are used illegally to perpetrate fraud against an individual in order to acquire sensitive personal, financial, medical, and familial information. Accordingly, any State agency shall identify, in writing, the specific Federal or State law governing the collection, use, or release of Social Security numbers and each purpose for which the agency collects the Social Security number, including any authorized exceptions that apply to collection, use, or release and that ensure compliance with the law. The employee must receive, in writing, notification of whether the collection of Social Security numbers is authorized or mandatory under Federal or State law. The number may be released if required by Federal or State law or a court order or if it is necessary for the agency or entity that receives the information to perform its duties and responsibilities or to comply with the U.S. Patriot Act.

## Georgia

*Immigration protections.* The portion of the State Official Code relating to security and immigration compliance was amended. Every public employer, including, but not limited to, every municipality and county, shall register and participate in the Federal work authorization program to verify the eligibility for employment of all newly hired employees. Upon Federal authorization, a public employer shall permanently post the employer's federally is-



sued user identification number and date of authorization, as established by the agreement for authorization, on the employer's Web site. However, if a local public employer does not maintain a Web site, the identification number and date of authorization shall be published annually in the official legal organ for the county. State departments, agencies, or instrumentalities may satisfy the State code requirement by posting information on a separate Web site maintained and operated by the State. In addition, before a public employer considers a bid from a contractor for the performance of services within the State, the employer shall ensure that the bid includes a signed, notarized affidavit from the contractor attesting to (1) the affiant's registration with, and authorization to use, the Federal work authorization program, (2) the user identification number and date of authorization for the affiant, and (3) the affiant's use of, and commitment to continue using, the Federal work authorization program throughout the contract period.

*Independent contractor.* The State enacted a bill that amended Chapter 8 of Title 13 of the Official Code of the State, Annotated. The new bill provides that any restriction which operates under a restrictive covenant during the term of an independent contractor relationship shall not be considered unreasonable because it lacks any specific limitation upon the contractor's scope of activity, the duration of the contract, or the geographic area in which the work is to be performed, as long as it promotes or protects the purpose or subject matter of the agreement or relationship or deters any potential conflict of interest. "Restrictive covenant" is defined as "an agreement between two or more parties that exists to protect the first party's or parties' interest in property, confidential information, customer good will, business relationships, employees, or any other economic advantages that the second party has obtained for the benefit of the first party or parties, to which the second party has gained access in the course of his or her relationship with the first party or parties, or which the first party or parties has acquired from the second party or parties as the result of a sale." Restrictive covenants may exist within or ancillary to contracts between employers and independent contractors.

*Offsite work.* Legislation was enacted which extends State income tax credits until January 1, 2012, for employers that implement teleworking in their establishments.

*Worker privacy.* The State Annotated Official Code relating to when the public disclosure of public records is not required was amended. Financial account numbers, including utility

account numbers, and passwords used to access those accounts are now not required to be disclosed. In addition, records that would reveal the home addresses, telephone numbers, or Social Security numbers of, or insurance or medical information about, firefighters, emergency medical technicians, or paramedics were added to the list of data concerning other public employees that is not required to be released. As defined by the amended statute, a "public employee" means "any nonelected employee of the State, or its agencies, departments, or commissions, or any county, or municipality, or its agencies, departments, or commissions." Finally, e-mail addresses or any other data or information developed, collected, or received by counties or municipalities in connection with neighborhood watch or public-safety notification programs is not releasable.

## Hawaii

*Family issues.* The State Revised Statutes now require employers to clearly post notices of employees' rights in conspicuous places in every establishment. The notices must be posted where employees can readily observe a copy on their way to and from their places of employment.

The house body of the State legislature adopted a resolution urging all the members of the legislature to support the establishment of paid family leave in the State.

*Immigration protections.* Legislation was enacted which expanded the reasons that permit the State Contractor License Board to revoke, suspend, or refuse to renew any license under Section 444 of the State Revised Statutes for any cause authorized by law. The board is now permitted to take these adverse actions if a contractor knowingly or intentionally has employed a person to perform work under a contract subject to Chapter 104 of the State Revised Statutes if, under Federal law, that person is not permitted to work in the United States.

## Idaho

*Immigration protections.* Legislation was enacted that amended Title 39, Health and Safety, Chapter 61, Idaho Conrad J1 Visa Waiver Program, to establish National Interest Waiver criteria for physicians. A National Interest Waiver is a mechanism for a foreign physician pursuing a change in immigration status to stay in the United States in exchange for a commitment to practice medicine to an underserved population for a 3- to 5-year period. The waiver requires an attestation from the State's Department of Health and Welfare to the U.S. Bureau of Citizenship and Immigration Services stating that the physician's work

in the area or facility is in the public interest. Final approval for these requests is made by the U.S. Bureau of Citizenship and Immigration Services. State communities may apply for the placement of a foreign physician only after demonstrating their inability to recruit an American physician and all other recruitment and placement possibilities have proven to be unsuccessful. This bill also modifies the State Conrad J1 Visa Waiver Program, Section 396111(4), to allow physicians to show proof of eligibility for a State license as part of the application criteria. Successful completion of the residency or training program and an unrestricted license to practice medicine in the State are conditions for employment.

*Minimum wage.* The State minimum-wage requirement was increased to \$7.25 per hour.

*Offsite work.* The State legislature adopted a resolution to support and encourage all State and local government employers and all business employers in the development and implementation of telework policies and programs for their employees. The State Governor and the legislature were encouraged to continue (1) the exploration, to the extent feasible within available resources, of the appropriate technology infrastructure that will aid employers and their employees in maximizing the full potential deployment of telework within the State and (2) the provision of assistance in the improvement and availability of such infrastructure.

*Worker privacy.* It was resolved by the State legislature's House Committee on State Affairs that the directors of all State agencies use all care and vigilance to protect the personal data and private information of their employees, and of all State citizens, for the purpose of protecting against identity theft. This protection includes, but is not limited to, the protection of Social Security information, bank account information, and information related to State and Federal income taxes.

## Illinois

*Equal employment opportunity.* The State Equal Pay Act of 2003 was amended in order to adjudicate underpayment of wages to an employee. An employee (or a former employee) may file a complaint with the State Department of Labor within 1 year of the alleged underpayment by submitting a signed, completed form to the department. The director of the State Department of Labor is authorized to supervise the payment of the unpaid wages owed to any employees and, within 5 years of the date of each underpayment, may bring any legal action necessary to recover the amount

of unpaid wages and penalties. The employer shall be required to pay the costs of the legal action. Any employer who violates any provision of the bill and has been demanded by the director or ordered by the court to pay wages due and fails to do so within 15 days after such demand shall be liable to pay a penalty of 1 percent per calendar day to the employee for each day of delay, up to an amount equal to twice the sum of the unpaid wages due the employee.

Bids or proposals that are submitted to the State in competition for contracts must be awarded so that no less than 12 percent of the total dollar amount is awarded to businesses owned by minorities, females, or persons with disabilities. The State Business Enterprise for Minorities, Females, and Persons with Disabilities Act was amended by inserting a proviso which states that those who submit proposals for State contracts shall not be given a period after the bid or proposal is submitted to cure deficiencies in the bid or proposal, unless doing so is mandated by Federal law or regulation.

*Employment agency.* In a municipality with more than 1,000,000 inhabitants, a day or temporary labor service agency may not operate or transact business at a location within 1,000 feet of a school building or a building in which a Boys and Girls Club is located. This prohibition also pertains to real property on which a school or a Boys and Girls Club is located. This restriction does not apply to an employment agency that was registered with the State Department of Labor or received an occupancy permit for a restricted location prior to January 1, 2008.

In the event of a lawsuit, a day and temporary labor service agency may recover attorney's fees and costs in a civil action brought by the agency against a third-party client when the plaintiff prevails. The charges relate to a breach of contract by the third-party client for services provided by the labor service agency.

*Human trafficking.* Section 10-9, concerning trafficking in persons, involuntary servitude, and related offenses, was added to the omnibus Health Care Worker Background Check Act. The act now deals with (1) forced labor or services performed or provided by another person that are obtained or maintained through any plan intending to cause or threatening to cause serious harm to another person; and (2) physically restraining another person by an individual who is abusing or threatening to abuse the law or some legal process or who is knowingly destroying, concealing, removing, confiscating, or possessing the other person's purported passport (or other immigration document or government identification) or who is attempting to

cause financial harm or exert financial control over the other person. In addition, the act deals with involuntary servitude (knowingly subjecting another person to forced labor or services), including the involuntary sexual servitude of a minor. A violation of the act in the aforementioned areas is a Class 1 felony. If the violation is considered aggravated, it shall be considered a Class X felony. Upon conviction for involuntary servitude, sexual servitude of a minor, or trafficking in persons for forced labor or services, the attorney general of the State may be authorized to seize all property or other interests declared forfeited by law.

*Immigration protections.* Prior to voluntarily enrolling in any electronic employment verification system, including the E-Verify program and the Basic Pilot Program, employers are urged to consult the State Department of Labor's Web site for current information on the accuracy of the E-Verify program and to review the employer's legal responsibilities relative to the program. The State Department of Labor has links to information from the U.S. Government Accountability Office, the private firm Westat, and similar reliable sources that are independent of the U.S. Department of Homeland Security regarding the accuracy of the E-Verify databases, the approximate financial burden the system imposes on employers, the expenditure of time that the use of E-Verify requires from employers, and an overview of an employer's responsibilities under Federal and State law relating to E-Verify. The following actions or omissions are a violation of the law: failure to display notices from the U.S. Department of Homeland Security; failure to take reasonable steps to prevent an employee from circumventing the requirement to complete computer-based training in the E-Verify system; use of the system to verify the employment eligibility of job applicants prior to hiring; termination of, or any other adverse employment action against, an individual prior to the receipt of a final nonconfirmation notice from the Social Security Administration and the U.S. Department of Homeland Security; failure to notify an individual, in writing, of the employer's receipt of a tentative nonconfirmation notice and of the individual's right to contest the notification; failure to provide an individual with the names of agencies to be contacted to contest the notification; and failure to safeguard the information and system. It is also a violation of this legislation (1) for an individual to falsely pose as an employer in order to enroll in an E-Verify system or (2) for an employer to use a verification system to access information regarding a person who is not an employee of the employer.

The director of the State Department of Commerce and Economic Opportunity may make grants to eligible employers, or to other

eligible entities on behalf of employers, to provide training for employees in fields for which there are critical demands for certain skills. No participating employee may be an unauthorized alien. Each applicant must provide a signed, dated, and notarized certification stating the names of all participating employees, ensuring that all persons are employed at a State facility, and indicating the Social Security numbers of the employees. All submissions are subject to departmental audit for purposes of accuracy.

*Minimum wage.* The State minimum-wage requirement was increased to \$8.00 per hour.

*Plant closing.* A hospital or health care facility must provide a written preclosure statement to the State Department of Public Health no less than 90 days before permanently closing its facility. The written agreement must address, among other things, the intended date upon which the business of the health care facility will cease.

*Prevailing wage.* When a public body that is covered by the State Prevailing Wage Act awards a contract without a public-bid, contract, or project specification, the contractor and any subcontractors shall comply with the current prevailing-wage statutes. Written notice indicating the current prevailing rate of wages that must be paid to all laborers, workers, and mechanics performing work on the project must be provided to the contractor. A contractor or subcontractor who fails to comply with the prevailing rate of wages is in violation of the act. When a complaint is made and the State Department of Labor determines that a violation has occurred, it must first be determined that proper written notice was given. If proper written notice was not provided to the contractor, then the public body must pay any interest, penalties, or fines that would have been owed by the contractor had it received proper notification. Failure to receive written notice does not relieve the contractor of the duty to comply with the prevailing-wage rate and pay any outstanding back wages. If proper notice was not given to a subcontractor by a contractor, the contractor shall pay any interest, penalties, or fines due and shall also pay any back wages due to the laborers, mechanics, or workers.

The State Prevailing Wage Act was amended by refining the definition of "public works" within the act. The term means "all fixed works constructed by any public body or paid for wholly or in part out of public funds." The term, however, does not include work done directly by a public utility company, whether or not done under public supervision or direction, or work paid for wholly or in part out of public funds. In addition, the term does not

include projects undertaken by the owner at an owner-occupied single-family residence or at an owner-occupied unit of a multifamily residence.

The State Prevailing Wage Act also was amended to ensure that no less than the general prevailing rate of hourly wages be paid to all laborers, mechanics, and other workers employed in the construction or demolition of public works. Such work includes any maintenance, repair, assembly, or disassembly work performed on equipment, whether owned, leased, or rented. Only laborers, workers, and mechanics directly employed by contractors or subcontractors in actual construction work on the site of the building or construction job and engaged in the transportation of materials and equipment to or from the jobsite shall be deemed to be employed upon public works. Further, the wage for a tradesworker performing maintenance is equivalent to that of a tradesworker engaged in construction or demolition.

*Worker privacy.* The State Department of Central Management shall establish and maintain a Web site known as the Illinois Transparency and Accountability Portal (ITAP), with a full-time webmaster tasked with the responsibility of compiling and updating the site's database with specific information received from all State agencies receiving appropriations. The database shall contain the names of all current State employees and individual consultants (except sworn law enforcement officers), the name of the employing State agency and division, the employment position title, the current pay rate, and the year-to-date amount of pay. The database also shall contain data on (1) all development assistance relevant to the Corporate Accountability for Tax Expenditures Act, (2) all revocations and suspensions of State occupation and use tax certificates of registration and State professional licenses, (3) all current State contracts, sorted by contractor and awarding officer or agency, (4) the value of the licenses, and (5) the value of the goods or services provided. As additional information becomes available, it will be published on the portal.

Privileged or confidential communications otherwise protected by law include communication between an individual and his or her physician; psychologist or other psychotherapist; school social worker; school counselor; school psychologist; or school social worker, school counselor, or school psychologist intern who works under the direct supervision of a school social worker, school counselor, or school psychologist. No school employee shall be subjected to any adverse employment action, the threat of an adverse employment action, or any manner of discrimination because the employee is acting or has acted to protect privileged or confidential communica-

tions pursuant to applicable State provisions or Federal law.

All levels of the educational system in the State, including elementary and secondary schools, colleges and universities, community colleges, and law schools, are affected by a legislative change to the State School Code. A report shall be given to the State board of education by school boards of trustees on or before July 1 of each year. The report shall include information on the base salaries and benefits of all the administrators, teachers, faculty members, and instructors. Benefits include vacation and sick days, bonuses, annuities, and retirement enhancements.

*Workplace violence.* The State passed a resolution creating the Legislative Task Force on Workplace Bullying, with the mission of examining the prevalence and impact of bullying in the workplace. Among the factors to be considered in the study are the physical and psychological health, economic security, and work and family relationships of employees. Further, the task force will examine the barriers faced by private-sector employers that employ individuals who engage in intentional abusive conduct resulting in increased turnover, lost productivity through absenteeism, and worker's compensation and disability insurance claims and affecting corporate recruitment and retention. In addition, the task force will examine offering incentives to businesses that implement policies and procedures to prevent and respond to the mistreatment of employees at work. The task force shall receive administrative support from the State Department of Human Services, hire skilled experts, and report its findings to the State General Assembly on or before December 1, 2010.

The Victim's Economic Security and Safety Act addresses the failure of existing laws to protect the employment rights of employees who are victims of domestic or sexual violence or who have a family or household member who is a victim of domestic or sexual violence. The act does this by protecting the civil and economic rights of those employees and by furthering the equal opportunity of women for economic self-sufficiency and employment free from discrimination. An employee or a household member thereof who is the victim of domestic or sexual violence may be permitted to take unpaid leave to seek medical help, legal assistance, counseling, safety planning, and other assistance without incurring any penalty from his or her employer. The legislation also prohibits employers from discriminating against any employee who is a victim, at the same time ensuring that the legitimate interests of employers are protected and that the safety of all persons in the workplace is secured. To be subject to the act, a private employer must employ at

least 15 employees. The State, any agency of the State, or any unit of local government or the school district also may be an employer under the act. An employee working for an employer with at least 50 employees shall be entitled to a total of 12 workweeks of leave during any 12-month period; an employee working for an employer with 15, but no more than 49, employees shall be entitled to a total of 8 workweeks of leave during any 12-month period. The number of workweeks to which an employee is entitled shall not decrease during the relevant 12-month period. The legislation does not create a right for an employee to take unpaid leave that exceeds the leave time allowed. The leave may be taken intermittently or on a reduced work schedule, with the employee providing the employer with at least 48 hours' advanced notice of the employee's intention to take leave. No reprisals may be taken against the employee, nor may the employer discontinue benefits covered during the leave period. Should the employee fail to return from leave, the employer may recover premiums paid to maintain coverage. The employer may not require the employee to substitute available paid or unpaid leave for leave granted as a result of violence to the employee or his or her family member.

## Indiana

*Equal employment opportunity.* The State amended Section 1 IC 22-9-2-1 of the State Code by increasing the maximum age limit for age discrimination claims from 70 years to 75 years of age.

*Family issues.* The State enacted legislation that adds a biological child, an adopted child, a foster child, or a stepchild of a person who is ordered to active duty as eligible for military family leave. The bill also redefines the definition of the terms "grandparent," "parent," and "sibling" for purposes of military family leave.

*Independent contractor.* Section 1 IC 6-1-3-21.2 of the State Code was amended to provide for the sharing of information concerning the classification of individuals as independent contractors among the State Department of Labor, the Department of State Revenue, the State Department of Workforce Development, and the State Worker's Compensation Board. Certain information pertaining to the classification of employees is confidential and may not be published or open to public inspection. An officer or employee of a State agency who knowingly or intentionally discloses confidential information concerning any suspected improper classification of an individual commits a Class A misdemeanor. The amended bill defines a contractor as a sole proprietor,

a partnership, a firm, a corporation, a limited-liability company, an association, or another legal entity that engages in construction and is authorized by law to do business in the State. The definition of “contractor” includes a general contractor, a subcontractor, and a lower tiered contractor, but does not include the State, the Federal Government, or any political subdivision of either.

*Minimum wage.* The State minimum-wage requirement was increased to \$7.25 per hour.

*Legislation* was enacted that requires an employer to post a single-page poster to notify employees about the State’s minimum-wage law. The State also requires that, each pay period, employers provide employees a statement which includes their hours worked, wages paid, and deductions made.

*Time off.* The State Code was amended so that an employee may not be disciplined for absence from work if the employee is a member of a volunteer fire department and is injured during emergency firefighting or some other emergency response. The immediate supervisor of such an employee may require the employee to provide evidence from a physician or other medical authority documenting the fact that (1) the employee has undergone treatment for the injury at the time of the absence and (2) there is a connection between the injury and the employee’s emergency firefighting or other emergency response activities. The exemption from discipline applies to the period of the employee’s absence from work, as long as that period does not exceed 6 months from the date of injury. Similar protections apply to employees of political subdivisions when certain criteria are met.

*Wages paid.* The State enacted legislation that allows a public school corporation, the State school for the blind and visually impaired, the State school for the deaf, certain correctional institutions, certain State institutions, and the State Soldiers’ and Sailors’ Children’s Home to enter into a 13-month compensation payment schedule for work performed during a normal 9- or 10-month school year. Such an agreement between an institution and an employee thereof must be in writing.

*Workers with disabilities.* The State Code was amended to express the policy that individuals with a mental disability should participate fully in the social and economic life of the State and engage in remunerative employment. Also, persons with mental disabilities should be allowed employment in positions with the State service, the service of the political subdivisions of the State, public schools, and all other employment supported in whole or in

part by public funds. Persons with a disability are entitled to be accompanied by a service animal in certain public accommodations that include various educational institutions. Covered entities, such as employers, employment agencies, labor organizations, and joint labor-management committees, must allow an employee with a disability to keep a service animal with the employee at all times. The bill defines a service animal as a hearing, guiding, assistance, seizure alert, mobility, psychiatric service, or autism animal.

**Iowa**

*Department of labor.* The duties of the commissioner of the State Department of Labor pursuant to collecting wage payments, enforcing child labor laws, and providing penalties for violations of the law in such areas were amended. Under the wage payment collection penalties set by the State Code, the commissioner may assess a civil penalty of no more than \$500 per pay period for any violation of the wage payment provisions of the State Code. Under the child labor violation penalties set by the State Code, the commissioner shall adopt rules specifically defining the civil money penalty amount to be assessed for child labor violations. Employers may be assessed a civil money penalty of no more than \$10,000 for each violation of specific child labor codes. The commissioner shall notify the employer of a proposed civil penalty in the same manner as he or she would an original notice of violation or by certified mail. If, within 15 working days from receipt of the commissioner’s notice, the employer fails to file a notice of contest in accordance with rules adopted by the commissioner, the proposed penalty shall be deemed final agency action for purposes of judicial review.

*Equal employment opportunity.* The State enacted legislation, including an applicability provision, providing for gender balance on local boards, commissions, committees, and councils. All appointive boards, commissions, committees, and councils of a political subdivision of the State that are established by the State Code, if not otherwise provided by law, shall be gender balanced, unless the political subdivision has made a good-faith effort to appoint a qualified person to fill a vacancy on a board, commission, committee, or council for a period of 3 months, but has been unable to make an appointment compliant with State Code. In complying with code requirements, political subdivisions shall utilize a fair and unbiased method of selecting the best qualified applicants. This amendment to the code shall not prohibit an individual whose term expires prior to January 1, 2012, from being reappointed, even though the reappoint-

ment continues an inequity in gender balance. The amendment is applicable to appointive boards, commissions, committees, and councils of a political subdivision of the State on and after January 1, 2012.

After restating that wage discrimination is an unfair employment practice under the State Civil Rights Act, the legislature amended the act by providing an enhanced remedy. As amended, the act now states that, for any unfair or discriminatory practice relating to wage discrimination, payment to the complainant for an injury caused by the discriminatory or unfair practice that damages the individual shall include, but is not limited to, court costs, reasonable attorney’s fees, and either of the following: (1) an amount equal to 2 times the wage differential between the complainant and a comparable employee for the period during which the complainant was discriminated against or (2) in instances of willful violation, an amount equal to 3 times the wage differential between the complainant and a comparable employee for the period during which the complainant was discriminated against.

*Workplace violence.* A new section discussing violence in the workplace was added to the State Judicial Acts. A person who harasses a judicial officer, a court employee, or a family member of a judicial officer or a court employee in violation of the judicial acts, with the intent to interfere with or improperly influence, or in retaliation for, the official acts of a judicial officer or court employee commits an aggravated misdemeanor.

**Kansas**

*Inmate labor.* The State amended K.S.A. 2008 Supp. 75-5275 to allow the State Department of Corrections to contract with private individuals, corporations, partnerships, or associations for projects that would involve repairing real estate that has been damaged by a tenant who is under the release supervision of the department.

*Minimum wage.* The minimum wage in the State was increased so that, effective January 1, 2010, employees shall be paid at a rate not less than \$7.25 per hour. In calculating the minimum-wage rate, the employer may include tips and gratuities received by an employee if such tips and gratuities have customarily constituted part of the remuneration of the employee and if the employee concerned actually received and retained the tips and gratuities. For employees receiving tips and gratuities, the employer shall pay a minimum wage of at least \$2.13 an hour. If, when combined with the minimum-wage rate prescribed by State law, the amount of the employee’s tips and gratuities is at least equal to \$7.25 an hour, no

further payment is required by the employer; if the amount is less than \$7.25 an hour, the employer must pay the employee the difference between the \$7.25 an hour and the actual hourly amount received by the employee as determined by combining the amount of tips and gratuities received with the minimum wage prescribed by the State law and paid by the employer. These provisions of State law shall not apply to any employers and employees covered by the provisions of the Federal Fair Labor Standards Act.

*Miscellaneous.* For the purpose of resolving tort claims under the State Tort Claims Act, the definition of “employee” was expanded to include medical students who are enrolled at the University of Kansas Medical Center and who are in clinical training at the center or some other health care institution(s). The change in the definition means that the State could be held responsible for a student’s act or failure to act if it occurs within the scope of his or her employment. In addition, the expanded definition of “employee” excludes any independent contractor under contract to a government entity, except those contractors specifically listed in K.S.A. 75-6101 through 75-6118.

*Worker privacy.* The State now provides that information contained in responses to wage and salary surveys conducted by the director of personnel services to provide wage and salary information about jobs and other public and private employment under K.S.A. 75-2938 shall be confidential and not subject to disclosure under the open records act, K.S.A. 45-215 et seq. Any information contained in such responses to wage and salary surveys will not be subject to subpoena, discovery, or any other demand in any administrative, criminal, or civil action. The information can be disclosed upon written request if no person or entity can be identified in the information, as determined by the director of personnel services.

## Kentucky

*Minimum wage.* The State minimum-wage requirement was increased to \$7.25 per hour.

*Overtime.* Legislation was enacted relating to supplemental payments to local governments for qualified professional firefighters and for declaring an emergency. Each firefighter shall receive a distribution of the State Supplement Firefighters Foundation Program Fund in proportion to his or her qualifications brought to the local government. Each qualified professional firefighter whose local government receives a supplement from the fund shall receive the appropriate distribution of the supplement from that local government

in 12 equal monthly installments together with his or her pay for the last pay period of each month. For the purpose of calculating hourly wage rates for scheduled overtime for professional firefighters, the term “wages” shall not include the aforesaid distribution. “Scheduled overtime” means “work by a professional firefighter in excess of 40 hours per week and that regularly recurs as part of an established work schedule.” For the purposes of calculating hourly wage rates for unscheduled overtime for professional firefighters, “wages” shall include the aforesaid distribution. “Unscheduled overtime” is defined as “work by a professional firefighter in excess of 40 hours per week and that does not regularly recur as part of an established work schedule.”

## Louisiana

*Equal employment opportunity.* The State enacted a bill which provides that no person shall be held civilly or criminally liable, discriminated against, dismissed, demoted, or in any way prejudiced or damaged for declining to participate in any health care service that violates his or her conscience to the extent that patient access to health care is not compromised. “Conscience” is defined as “sincerely held religious belief or moral conviction.” “Health care service” is limited to abortion, the dispensation of abortifacient drugs, human embryonic stem cell research, human embryonic cloning, euthanasia, and physician-assisted suicide. Health care facilities are instructed to ensure that they have sufficient staff to provide patient care in the event that any employee declines to participate in any health care service that violates his or her conscience. Employees who feel that a particular health care service violated their conscience should notify their employers in writing as soon as practicable and must notify any patient before they provide any consultation or service to the patient.

*Human trafficking.* Legislation was enacted relative to, and to create the crime of, trafficking of children for sexual purposes. It is now unlawful for any person to knowingly recruit, harbor, transport, provide, sell, purchase, or otherwise obtain a person under 18 years of age for the purpose of engaging in commercial sexual activity. No person may knowingly benefit from participation in any venture that has engaged in such activity. Violators of the law shall be fined no more than \$50,000 and imprisoned at hard labor for no less than 15 years and no more than 50 years. Whoever violates the law with respect to a victim who is less than 14 years of age shall be fined no more than \$75,000 and imprisoned at hard labor for no less than 25 years or more than 50 years. At least 25 years shall be served without

benefit of probation, parole, or suspension of sentence. No parent, legal guardian, or other person having custody of a person less than 18 years of age may knowingly permit or consent to such minor entering into any of the aforementioned prohibited activities. Any such individual who violates the law shall be required to serve at least 5 years, or at least 10 years if the minor is less than 14 years of age, without benefit of probation, parole, or suspension of sentence.

*Inmate labor.* The State enacted legislation pertaining to the rate of inmate compensation. The new requirements regarding rates of pay for inmate labor shall be determined according to the skill, industry, and nature of the work performed by the inmate and shall be no more than 20 cents per hour, except that inmates who are assigned to industrial, agricultural, service, or other programs in the State Prison Enterprises system may be compensated at a rate of up to 40 cents per hour and inmates who are certified academic tutors or certified vocational tutors may be compensated at a rate of up to \$1.00 per hour.

*Worker privacy.* Prior to hiring any applicant for employment, each city, parish, or other local public school board shall require the applicant to sign a statement that (1) provides procedures for the disclosure of information by the applicant’s current or previous employer relative to all instances, if any, of sexual misconduct with students as committed by the applicant, (2) provides procedures for the disclosure of information by the previous employer (if that previous employer was the State school for the deaf, the State school for the visually impaired, or the State special education center) relative to all instances, if any, of abuse or neglect of students, and (3) provides procedures for the disclosure of information by the applicant of all instances, if any, of sexual misconduct committed by the applicant with any student or of the applicant’s abuse and neglect of any student. Such procedures shall include written notification of the school board on any application forms provided to the applicant. Also, the applicant must sign a release removing liability from the applicant’s former employer, or from any employee acting on behalf of the applicant’s former employer, for disclosing any personal information. All copies of any statements concerning sexual misconduct, abuse, or neglect shall be made and provided to the requesting school board no later than 20 business days after receiving the request to provide the necessary information. All applicants shall be required to disclose all cases of sexual misconduct with a minor or student and all investigations of sexual misconduct with a minor or student that occurred within 36 months prior to the applicant’s resignation,

dismissal, or retirement from school employment. Any applicant who knowingly and willfully violates the provisions of this law shall be guilty of a misdemeanor and shall be fined no more than \$500 or imprisoned for no more than 6 months, or both.

## Maine

*Agriculture.* Legislation was enacted to enhance the safety of contracted farmworkers and forestry workers. “An employer with regard to a migrant and seasonal farmworker” means “a person or entity that employs migrant and seasonal farmworkers and that is required to register with the U.S. Department of Labor under the Federal Migrant and Seasonal Agricultural Worker Protection Act.” “A migrant and seasonal farmworker” means “a person employed by a farm labor contractor on a temporary or seasonal basis to perform farm labor.” “An employer with regard to a forestry worker” means “a person or entity that suffers or permits any forestry worker to work.” While transporting workers, a vehicle other than a bus may not exceed the manufacturer’s design specifications with regard to the number of occupants permitted, except that in no instance may the number transported exceed 12. In the case of a 15-passenger van, compliance with this standard must be achieved by the removal of the seating immediately behind the rear axle, resulting in the number of passengers in the vehicle at any one time not exceeding 11. Each farm labor contractor employing migrant or seasonal farmworkers shall file a copy of its Federal registration under the Federal Migrant and Seasonal Agricultural Worker Protection Act with the State Department of Labor’s Bureau of Labor Standards. The filing must include in-state contact information on the farm labor contractor or the farm labor contractor’s representative.

*Drug and alcohol testing.* Legislation was enacted to clarify that the cutoff levels and procedures for substance abuse testing that are to be used when the State Department of Health and Human Services does not have established cutoff levels and procedures are those set forth in the *Federal Register*, volume 69, number 71, Sections 3.4–3.7. The department will allow for the use of any “federally recognized substance abuse test,” defined as “any substance abuse test recognized by the Federal Food and Drug Administration as accurate and reliable through the Administration’s clearance or approval process.” The bill also defines a “confirmation test” as a “second substance abuse test that is used to verify the presence of a substance of abuse indicated by an initial positive screening test result and is a federally recognized substance abuse test or is performed through the use of either liquid

or gas chromatography or mass spectrometry.”

*Equal employment opportunity.* The State Revised Statutes Annotated was amended. As amended, the law asserts that an employer may not prohibit an employee from disclosing the employee’s own wages or from inquiring about another employee’s wages as long as the purpose of the disclosure or inquiry is to enforce the antidiscriminatory rights granted by the statutes. However, nothing in the statutes creates an obligation to disclose wages.

*Living wage.* The State Department of Labor is now required to calculate livable wages for households in the State’s counties and metropolitan statistical areas by family size and as statewide averages by developing an annual basic-needs budget for various family sizes. The calculation shall be done on a biannual basis after July 31, 2009.

*Minimum wage.* The State minimum-wage requirement was increased to \$7.50 per hour.

The State Revised Statutes were amended in order to clarify the minimum-wage exemption for summer camp counselors working at day camps. The statutes now stipulate that those employees who are counselors, junior counselors, or counselors-in-training at the organized camps licensed under State statutes and those employees of organized camps and similar recreational programs not requiring licensure that are operated as or by nonprofit organizations and who are under 18 years of age are exempt from the State minimum-wage requirement.

*Miscellaneous.* The State defined “lobbyist” so as not to include an individual who receives no compensation for lobbying other than reimbursement for lobbying-related travel within the State and reimbursement for other out-of-pocket expenditures for printing, postage, and food and lodging connected with lobbying activities paid for by the individual. The definition of “reimbursement for out-of-pocket expenditures” does not include reimbursement for the individual’s time spent lobbying that would have been otherwise compensated by an employer or for time spent in the course of the individual’s employment.

The U.S. Department of Labor is undertaking a review of contractor practices around the State to investigate allegations that contractors are not following Federal law. In recognition of this fact, and to remove any economic obstacles in the State’s wood industry and improve opportunities for resident laborers to be employed by that industry, the State passed a public law indicating that an employer who employs a bond worker in a logging occupation shall provide proof of the employer’s ownership of any

logging equipment used by that worker while employed by that employer. The employer must own at least one piece of logging equipment for every two bond workers. Proof of ownership must be carried in the equipment, and upon request by the State Department of Labor, the operator of the equipment shall provide proof of ownership. Information regarding proof of ownership is not confidential and may be disclosed to the public. An employer who violates this law commits a civil violation for which a fine of no less than \$3,000 and no more than \$15,000 per violation may be adjudged.

*Plant closing.* Legislation was enacted that redefined “week’s pay” as an amount equal to the employee’s gross earnings either during the 12 months previous to the date of termination or relocation of the establishment or the date of termination or layoff of the employee, should it occur earlier, divided by the number of weeks in which the employee worked that period. The bill stipulates that, during Chapter 11 bankruptcy proceedings, the employer is not liable for severance pay to eligible employees, unless the filing is later converted to a filing under Chapter 7. The bill also includes language regarding a mass layoff and directs any employer that lays off 100 or more employees at a covered establishment to report the expected duration of the layoff within 7 days to the director of the State Bureau of Labor Standards. The director shall require the employer to update the report at least every 30 days in order for the director to determine whether the layoff constitutes a termination or relocation or whether there is a substantial reason to believe that the affected employees will be recalled within a reasonable time.

*Prevailing wage.* The State enacted a public law in order to clarify the application of the State Public Works Minimum Wage Laws. The term “public works” is now defined to include public schools, in addition to all buildings, roads, highways, bridges, streets, alleys, sewers, ditches, sewage disposal plants, demolition, waterworks, airports, and all other structures upon which construction may be let to contract by the State and which contract amounts to \$50,000 or more.

*Worker privacy.* Legislation was enacted with the purpose of guiding and governing the issue of teacher confidentiality. Any complaints that might end in the denial, revocation, or suspension of a teacher’s certification are to be held confidential, except when submitted in court proceedings. Confidential information may be released or used by the State Department of Education to complete its own investigations, provide information to a national association of State directors of teacher education and

certification to which the State belongs, assist other public authorities in investigating teacher certifications in other jurisdictions, report or prevent criminal misconduct, assist law enforcement agencies in their investigations, or report child abuse or neglect. As long as the release of information, in the form of statistical summaries of complaints and dispositions, does not jeopardize the confidentiality of individuals, the department may publish and release the information to the public.

## Maryland

*Discharge.* Portions of the State statutes relating to the State Flexible Leave Act were amended. The new legislation established that the State Flexible Leave Act applies to employers with 15 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding year. The definition of “immediate family” was clarified to mean only “a child, spouse, or parent.” In addition, the definition of “leave with pay” was clarified to mean “paid time that is earned and available to an employee on [the basis of] hours worked or as an annual grant of a fixed number of days of leave for performance of service.” The term does not include a benefit provided under an employee welfare benefit plan subject to the Federal Employee Retirement Income Security Act of 1974; an insurance benefit, including any benefit from an employer’s self-insured plan; workers’ compensation; unemployment compensation; or a disability or similar benefit. Employers are now forbidden from taking disciplinary action (that is, discharging, demoting, suspending, disciplining, or otherwise discriminating) against an employee, or threatening to do so, because the employee has taken authorized leave; opposed a practice made unlawful by the enacted legislation; or made a charge, testified, assisted, or participated in an investigation, proceeding, or hearing related to the State Flexible Leave Act.

*Equal employment opportunity.* The legislature added a new title to the State Government Article of the Annotated Code. Known as Title 20, the new title revised, restated, and recodified certain laws relating to the State Commission on Human Rights. Under the section concerning unlawful employment practices, employers may not fail to hire, refuse to hire, discharge, or otherwise discriminate against any individual with respect to the individual’s compensation or terms, conditions, or privileges of employment because of (1) the individual’s race, color, religion, sex, age, national origin, marital status, sexual orientation, genetic information, or disability unrelated in nature and extent to the individual’s employment performance or (2) the in-

dividual’s refusal to submit to genetic testing or make available the results of such testing. Furthermore, an employer may not limit, segregate, or classify its employees or applicants for employment in any way that would deprive or tend to deprive them of employment opportunities or that would otherwise adversely affect their status as employees because of (1) their race, color, religion, sex, age, national origin, marital status, sexual orientation, genetic information, or disability unrelated in nature and extent to their employment performance or (2) their refusal to submit to genetic testing or make available the results of such testing. In addition, an employer may not request or require genetic tests or genetic information as a condition of hiring or determining benefits.

The State statutes concerning discrimination by employers on the basis of certain factors were expanded. An employer, a labor organization, or an employment agency may not print or cause to be printed or published any notice or advertisement relating to employment by the employer; membership in, or any classification or referral for employment by, the labor organization; or any classification or referral for employment by the employment agency that indicates any preference, limitation, specification, or discrimination based on race, color, religion, sex, age, national origin, marital status, sexual orientation, or disability. However, any notice or advertisement placed by any of the aforementioned entities may indicate a preference, limitation, specification, or discrimination based upon religion, sex, age, national origin, marital status, or disability when any of those characteristics is a bona fide occupational qualification for employment.

The State clarified a formerly unclear provision of the law pertaining to equal employment opportunity. Now an unlawful employment practice with respect to discrimination in compensation occurs when a specified decision or practice is adopted, when an individual becomes subject to the decision or practice, or when an individual is affected by the decision or practice, including each time wages, benefits, or other compensation is paid, resulting wholly or partly from the discriminatory compensation decision or other practice. The State authorized the recovery of backpay for up to 2 years preceding the filing of a complaint when the unlawful employment practice that is the subject of the complaint is similar or related to a specified other unlawful employment practice with regard to discrimination in compensation that occurred outside the time specified for filing a complaint.

*Human trafficking.* The sections of the State Criminal Law concerning human trafficking were amended, expanding the list of actions relating to human trafficking that are prohibited. Under the amended law, a person may

not knowingly persuade, induce, entice, or encourage another person to be taken to or put in any place for purposes of prostitution.

*Independent contractor.* Legislation was enacted that (1) prohibits certain employers from failing to properly classify individuals who perform work for remuneration paid by those employers, (2) authorizes the commissioner of the State Department of Labor and Industry to initiate an investigation under specified circumstances to determine whether certain specified violations occurred, and (3) establishes the method of determining whether an employer-employee relationship exists for purposes of proper classification under specified circumstances. An employer in an affected industry misclassifies an employee when an employer-employee relationship exists, but the employer has not classified the individual as an employee. An employer-employee relationship exists in an affected industry unless the employer can demonstrate that the worker is a sole proprietor or independent contractor subject to clarifying regulations issued by the commissioner. An employer in an affected core industry must keep specified personnel records for at least 3 years. At the time of hiring, an employer must provide each sole proprietor or independent contractor a written explanation of the implications of his or her classification. The bill requires that units within the State Department of Labor, Licensing, and Regulation and other State agencies share information concerning any suspected failure to properly classify an individual as an employee. An employer found to have improperly misclassified one or more employees must, within 30 days, pay restitution to those employees not properly classified and come into compliance with all applicable labor laws. An employer is penalized up to \$3,000 for each employee not in compliance, but the commissioner cannot penalize employers who conform to applicable labor laws within 30 days. An employer is guilty of knowingly misclassifying an employee if the employer misclassifies the individual despite actually knowing that he or she is an employee, with deliberate ignorance of the fact that the individual is an employee, or with reckless disregard for the truth that the individual is an employee. For knowingly violating the bill’s provisions, an employer is subject to a penalty of up to \$5,000 per misclassified employee, regardless of whether the employer enters into compliance within 30 days. Penalties extend to successor corporations and can be doubled for employers who have previously violated the bill’s provisions. An individual who assists, advises, or otherwise facilitates an employer in misclassifying employees is subject to a civil penalty of up to \$20,000. If an employer engaged in work with a public body fails to properly classify one or more employees, the commissioner has to

notify the public body, which is then required to withhold from payment an amount sufficient to pay each employee the full amount of wages due, as well as pay any benefits, taxes, or other required contributions. The commissioner must file with specified agencies a list of employers who repeatedly misclassify employees. A listed employer is debarred and prohibited from entering into a contract with a public body for 2 years from the date of placement on the list. Debarment extends to any successor corporation. A misclassified employee is authorized to bring a civil action against the employer within 3 years of the violation, and the court may award damages to the individual. An employer may not take action against an employee for bringing an action against the company; likewise, employees are prohibited from making a complaint in bad faith. The commissioner is authorized to investigate the situation upon receiving a complaint that an employer took retaliatory action against an employee. The employer must be given an opportunity to respond to the allegations. If the commissioner determines that retaliatory action was taken, the commissioner must file a complaint in circuit court to enjoin the violation, reinstate the employee, and take other appropriate action. The commissioner may enter a place of business to observe work being performed, interview employees and contractors, and review records as part of the investigation. The commissioner also may issue a subpoena for testimony and records. All required records must be kept by the employer for a period of 3 years. An employer that fails to produce records within 5 business days of the commissioner's request is subject to a fine of up to \$500 per day. If an individual fails to comply with a subpoena, the commissioner may file a complaint in circuit court requesting an order directing the individual's compliance. The commissioner must issue a citation to an employer that fails to properly classify an employee. The commissioner is required to send the employer notice of the violation and the amount of the penalty. If a hearing is not requested within 15 days of the notice, the violation and penalties are considered the final order of the commissioner.

*Minimum wage.* The State minimum-wage requirement was increased to \$7.25 per hour.

*Workers with disabilities.* Legislation was enacted that expanded the definition of "disability" and also expanded disability rights of employees in the area of employment discrimination. The definition of "disability" now includes having a record of physical or mental impairment as otherwise defined under State law or being regarded as having a physical or mental impairment as otherwise defined under State law. The expansion provided by the legislation prohibits

employers from failing or refusing to make reasonable accommodations for known disabilities of otherwise qualified employees. However, the employer is not required to reasonably accommodate an employee's disability if the accommodation would cause undue hardship on the employer's business. Finally, employers may not retaliate against an employee because the employee opposed any practice prohibited by the legislation or because the employee made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the State law.

The legislation also extends termination provisions and dates of applicability for specific tax credits for employers that hire certain qualifying individuals with disabilities or certain qualifying employees facing specific employment barriers.

### Minnesota

*Drug and alcohol testing.* Legislation was enacted that requires Type III school bus vehicle operators to undergo preemployment drug and alcohol testing.

*Human trafficking.* Legislation related to human trafficking and public safety was enacted that (1) authorized the commissioner of State Public Safety to gather and compile data on human trafficking every 2 years; (2) expanded the definition of "labor trafficking" to include persons who receive profit or anything of value, knowing or having reason to know that it is derived from labor trafficking; (3) expanded the definition of "sex trafficking" to include persons who receive profit or anything of value, knowing or having reason to know that it is derived from sex trafficking; and (4) defined, as a prior qualified human-trafficking-related offense, a conviction or delinquency adjudication within 10 years of the discharge from probation or parole immediately preceding the warrant offense for a violation of, or an attempt to violate, State law concerning prostitution, sex trafficking, labor trafficking, or unlawful conduct with respect to documents in furtherance of labor or sex trafficking. Those acting as the procurer or provider of a prostitute 18 years or older may be sentenced to imprisonment for no more than 20 years and fined no more than \$50,000. Those acting as the procurer or provider of a prostitute under 18 years may be sentenced to imprisonment for no more than 25 years and fined no more than \$60,000 if certain aggravating factors are present.

*Wages paid.* The sections of the State statutes concerning the deduction from wages of unreimbursed expenses were amended. Deductions, direct or indirect, for up to the full

cost of any uniform or equipment described in the State Statutes may not exceed \$50.00 or, if a motor vehicle dealer licensed under the State statutes furnishes uniforms, clothing, or equipment on an ongoing basis, may not exceed the lesser of 50 percent of the dealer's reasonable expense or \$25 per month, including nonhome maintenance of the uniform or equipment. At the termination of an employee's employment, the employer must reimburse the full amount deducted, directly or indirectly, for any of the items listed in Section 177.24, subdivision 4, of the State statutes, except for a motor vehicle dealer's rental and maintenance deduction for uniforms or clothing. However, no deductions, direct or indirect, may be made that, when subtracted from wages, will reduce the wages paid to below the minimum wage.

### Missouri

*Equal employment opportunity.* The State Revised Statutes were amended by adding a new section to the education requirements for public employees. No municipal fire department, municipal police department, or State agency, department, or political subdivision of the State shall discriminate in hiring, placement, treatment, or prerequisites for any employment or services of an individual on the basis of the elementary or secondary education program that the individual is completing or has completed, provided that the program is permitted under State law. Employers are not prohibited from requiring an individual to have abilities or skills other than those which are applicable to the duties of a position. This particular revision of the State Revised Statutes does not apply to private employers.

*Immigration protections.* The State requirements placed upon certain business entities concerning the legal authorization of workers in this country have been expanded. The affected entities are those which are awarded any contract or grant in excess of \$5,000 by the State or by any political subdivision thereof and those which receive a State-administered or State-subsidized tax credit, tax abatement, or loan. Such entities must sign an affidavit affirming that they do not knowingly employ, in connection with the contracted services, any person who is an unauthorized alien. Any entity contracting with the State or any political subdivision thereof shall only be required to provide the affidavits required by State law to the State and any political subdivision thereof with which it contracts on an annual basis. During or immediately after an emergency, the requirements of the law that a business entity enroll and participate in a Federal work authorization program shall be suspended for 15 working days.



*Minimum wage.* The State minimum-wage requirement was increased to \$7.25 per hour.

## Montana

*Minimum wage.* The State minimum-wage requirement was increased to \$7.25 per hour.

*Prevailing wage.* The State enacted a bill that revised laws related to the standard prevailing-wage rate on wages for public-works contracts. The bill also (1) provides for wage and benefit surveys and alternative methodologies to determine the standard prevailing-wage rate whenever insufficient data are generated by the survey of contractors in the applicable jurisdiction, (2) specifies payment terms for apprentices working on public-works contracts, and (3) authorizes the commissioner of the State Department of Labor and Industry to limit to 10 the maximum number of prevailing-wage rate districts for building construction services and nonconstruction services. In doing so, the commissioner need not take into consideration heavy construction services and highway construction services wage rates. The State defines “standard prevailing wages” as the applicable rates established or provided for building construction services, for heavy construction and highway construction services, and for nonconstruction services.

*Wages paid.* The State enacted legislation that amended State law by revising the periods within which an employer may withhold money from an employee’s final paycheck in cases of theft of property or funds. Generally, employers may not withhold any wages earned by or unpaid to any employee for a period longer than 10 business days after the wages are due and payable. However, when an employee is separated for cause or laid off from employment by the employer, all the unpaid wages of the employee are due and payable immediately upon separation, unless the employer has a written personnel policy governing the employment that extends the time for payment of the final wages to the employee’s next regular payday for the pay period or to within 15 days from the separation, whichever occurs first. In addition, when an employee is discharged by reason of an allegation of theft of property or funds connected to the employee’s work, the employer may withhold from the employee’s final paycheck an amount sufficient to cover the value of the theft if (1) the employee agrees, in writing, to the withholding or (2) the employer files a report of the theft with the local law enforcement agency within 7 business days of the separation from employment, subject to the meeting of certain conditions related to the filing of charges.

## Nebraska

*Immigration protections.* The State enacted legislation which stipulates that every contract

between a public employer and public contractor shall contain a provision requiring the public contractor to use a Federal immigration verification system to determine the work eligibility status of new employees physically performing services within the State. The operative date of the legislation was October 1, 2009, and for 2 years after that date the State Department of Labor shall make available to all private employers information regarding the Federal immigration verification system and encouraging the use of the system.

*Minimum wage.* The State minimum-wage requirement was increased to \$7.25 per hour.

## Nevada

*Employee leasing.* Legislation was enacted authorizing the administrator of the State Division of Industrial Relations of the State Department of Business and Industry to adopt regulations relating to a third party that may act on behalf of an employee leasing company, including obtaining or renewing a certificate of registration. An audited financial statement must have been completed no more than 180 days after the end of the applicant’s fiscal year when a third party submits a renewal of a certificate of registration.

*Minimum wage.* The State minimum-wage requirement was increased to \$7.55 per hour for employees who do not receive paid health benefits from their employer. The minimum wage for employees who do receive paid health benefits from their employer is \$6.55 per hour.

*Miscellaneous.* A department, division, or other agency of the State shall not employ, by contract or otherwise, a person to provide services as a consultant for the agency if (a) the person is a current employee of an agency of the State, (b) the person is a former employee of an agency of the State and less than 1 year has expired since the termination of his or her employment with the State, or (c) the term of the contract is for more than 2 years.

*Prevailing wage.* A public body that undertakes a public work shall request from the commissioner of the State Department of Labor, and include in any advertisement, an identifying number designating the work to be performed. The number must be included in any bid or other document submitted in response to the advertisement or other type of solicitation by any person who enters into an agreement for the actual construction or remodeling of a building or facility. If a lease-purchase or installment-purchase agreement is involved, the public body shall also include in such contract or agreement the contrac-

tual provisions and stipulations required in a contract for public work. Each public body awarded a contract shall report its award to the commissioner within 10 days after receiving the award and shall give the name and address of the contractor. Each contractor also shall list the names of any subcontractors whom he or she engages for work on the project. Each contract shall include the contractual provisions and stipulations required in a contract for public work.

*Time off.* Legislation was enacted that requires certain employers to grant 4 hours of leave per school year to a parent, guardian, or custodian of a child enrolled in public or private school to participate in certain school conferences, activities, or events. An “employer” is defined in the bill as “any person who has 50 or more employees for each working day in each of 20 or more calendar weeks in the current calendar year.” Leave taken must be used in increments of 1 hour. Employers may require that a written request for the leave be provided 5 days before the leave is taken or that documentation be provided attesting to the leave. Employers are prohibited from taking any retaliatory action, including demotion, suspension, or any other kind of discrimination in the terms and conditions of employment, against an employee who takes the authorized leave. Employees who are retaliated against can file a claim with the commissioner of the State Department of Labor, who can award, in addition to remedies or penalties, (1) any wages and benefits lost as a result of the violation, (2) an order of reinstatement without loss of position, seniority, or benefits, and (3) damages equal to the amount of lost wages and benefits.

*Whistleblower.* A medical facility or any agent or employee thereof shall not retaliate or discriminate unfairly against another employee of the facility (for example, a registered nurse, licensed practical nurse, or nursing assistant) who contracts to provide nursing services because the employee has taken an action that calls into question the willful conduct of care providers at the facility. The individual who files such a complaint also may express his or her concern about patients who may be exposed to substantial risk of harm due to (1) failure of staff to comply with minimal professional or accreditation standards, (2) failure of staff to practice statutory or regulatory requirements, or (3) staff’s engaging in conduct which compromises professional standards that would subject the complainant to disciplinary action by the State Board of Nursing. If the employee feels discriminated against, he or she may file an action in a court of competent jurisdiction where compensatory damages may include reimbursement of

any wages, salary, employment benefits that were denied or lost, attorney's fees, and punitive damages. The court also may recommend reinstatement of the employee at the medical facility, and the facility could be liable for a civil penalty of no more than \$10,000 for each violation. If any action taken to retaliate or discriminate against the employee occurs within 60 days after the reported incident, there is a rebuttable presumption that the action taken against the employee constitutes retaliation or discrimination.

### New Hampshire

*Employee leasing.* Legislation modifying certain provisions relating to standards for the operation, regulation, and licensing of employee leasing companies was enacted. An "employee leasing arrangement" is defined as "an instance where an employee leasing company assigns an individual, including one who was previously employed by the client company or its predecessor, affiliate, or subsidiary, to perform services for the client company in an arrangement that is intended to be, or is, ongoing rather than temporary in nature and is not aimed at temporarily supplementing the workforce." Every application for the issuance of an original, renewal, or restricted license must be accompanied by an audited financial statement prepared by an independent certified public accountant and showing that the leasing company has a minimum working capital of \$100,000. The audit must not be older than 13 months, and subsequent audits must be done within 12 months of the application. If the client company has less than the required \$100,000, it will have 180 days to eliminate the deficiency. For those companies with less than the required amount, the applicant agency can submit a surety bond, an irrevocable letter of credit, or securities with a minimum market value of \$100,000 plus an amount to cover the deficit in working capital. If a licensing company has been continuously licensed without revocation or suspension for a period of 5 or more years, a license shall remain in force for 2 years from the date of issue, provided that the required information is submitted to the Department of Labor on an annual basis. Firms shall maintain a list of current and past clients, and the list shall be available for inspection by the State Department of Labor without notice. The list of clients, the application for a license, and related materials shall remain confidential. Failure to maintain an updated list of clients still subjects the licensee to a \$1,000 fine for a first offense and a \$2,500 fine and loss of the license for a second or subsequent offense.

*Human trafficking.* The State prohibits trafficking in persons for the purpose of either sexual or labor exploitation. The bill defines

"serious harm" as including physical and non-physical harm and being an improper threat of a consequence sufficient under the circumstances to compel or coerce a reasonable person in the same situation to provide or continue to provide labor or services. The bill also defines "involuntary servitude" as "compulsory service or labor." In addition, the bill provides for the forfeiture of items used in connection with trafficking and subjects a person who commits such offenses involving someone less than 18 years of age to an extended term of imprisonment.

*Plant closing.* No employer shall order a mass layoff or plant closing unless the employer gives written notice of the order to all affected employees or their representatives 60 days before the order takes effect. The mailing of the notice to an employee's last known address or the inclusion of the notice in the employee's paycheck is considered an acceptable mode of notification. Any employer who fails to give notice before ordering a mass layoff or plant closing is liable to each employee for backpay at the average regular rate of compensation received by the employee during the last 3 years of his or her employment, or the employee's final rate of compensation, whichever is higher. An employer who fails to give notice may be assessed a civil penalty of up to \$2,500, as well as a civil penalty of up to \$100 per employee for each day of noncompliance. The employer is not subject to a civil penalty if the employer pays all applicable employees the amounts for which the employer is liable within 3 weeks from the date the mass layoff or plant closing is ordered.

### New Jersey

*Minimum wage.* The State minimum-wage requirement was increased to \$7.25 per hour.

*Prevailing wage.* The State Board of Public Utilities is responsible for adopting rules and regulations requiring that not less than the prevailing wage rate be paid to workers employed in the performance of any construction undertaken in connection with financial assistance from the board or undertaken to fulfill any condition of receiving such financial assistance. The prevailing-wage requirements of the State law do not apply to any contract that is less than the prevailing-wage threshold amount set for municipalities by State law.

*Wages paid.* The State enacted legislation that requires the reporting of wage records under certain solid-waste contracts. The reporting must include the name of, the actual hourly rate of wages paid to, and the actual daily, overtime, and weekly hours worked by each individual engaged in the collection and

transportation work done under the contract. The public body shall make the certified payroll record open to the inspection of any party to the contract, the commissioner of labor, and any member of the public at all reasonable hours. "Contractor or subcontractor" is defined as a "contractor or subcontractor who employs fewer than 1,000 employees in the State."

### New Mexico

*Equal employment opportunity.* The State legislature repealed certain sections of the State law dealing with the employment of women. It is no longer illegal for employers to hire women for employment in previously prohibited occupations or to have women work more than a limited number of hours. In addition, employers are no longer required to have certain seating available for their female employees.

*Prevailing wage.* Legislation was enacted that amends the State Public Works Minimum Wage Act, which allows the director of the State Labor and Industrial Division to set the prevailing-wage rates on public-works projects by using collective-bargaining agreements. The legislation makes it clear that fringe benefits are included in the prevailing wage. The State repealed Section 13-4-12 NMSA 1978, which defines the term "wages" and provides a listing of what fringe benefits are. Several terms are defined, including "director," "division," "fringe benefit," "labor organization," and "wage." The bill also sets the monetary thresholds for registration of contractors by raising the bid value for registration from \$50,000 to \$60,000.

*Time off.* Legislation was enacted that requires employers to grant domestic abuse leave, without fear of loss of employment or retaliation, to employees. The leave is granted for the purpose of obtaining an order of protection. Employees must provide verification of the need for the leave through their own written statement, an attorney representing them, a victim advocate, a law enforcement official, or a prosecuting attorney. In disclosing verification information related to an employee's taking domestic abuse leave, the employer's authority is limited, unless the employee consents to the disclosure, a court or administrative agency order requires the disclosure, or the disclosure is otherwise required by Federal or State law. Domestic abuse leave can be taken for up to 14 days in any calendar year.

*Wages paid.* The State now provides that an employee can bring a civil action for a wage-and-hour violation by an employer within 3 years after the previous violation occurred. An

employer who violates any of the provisions of the State Minimum Wage Act is guilty of a misdemeanor and, upon conviction, shall be sentenced and held liable to the affected employees in the amount of their unpaid or underpaid minimum wages plus interest and in an additional amount equal to twice the unpaid or underpaid wages. The penalty for a misdemeanor conviction includes imprisonment in the county jail for a term of less than 1 year, or the payment of a fine of no more than \$1,000, or both. A “petty misdemeanor” carries a sentence of at least 6 months’ imprisonment in the county jail, or the payment of a fine of no more than \$500, or both. Any violations of the State Minimum Wage Act will be prosecuted by the director of the Labor Relations Division of the State Workforce Solutions Department. In addition to any remedy or punishment provided pursuant to the act, a court may order appropriate injunctive relief, including requiring an employer to post, in the place of business, a notice describing violations by the employer as found by the court or a copy of a cease-and-desist order applicable to the employer.

*Worker privacy.* The State Educational Retirement Act was amended in order to prevent the disclosure of certain confidential information and to provide a penalty for a violation of the amended act. Other than names of members and local administrative units by which a member was employed; dates of employment, retirement, and reported death; service credit; reported salary; and amounts of contributions made by members and local administrative units, neither the school board nor its employees or contractors shall allow public inspection or the disclosure of any information regarding a member or retired member of the board to anyone, except that the information may be released to (1) the member, the retired member, or the spouse or authorized representative of the member or retired member; (2) other persons specifically identified in a prior release-and-consent form and prescribed by the board; and (3) the State attorney general, appropriate law enforcement agencies, the State auditor, the public education department, or the higher education department if the information released relates to contributions, payment, or management of money received by, or the financial controls or procedures of, a local administrative unit.

## **New York**

*Department of labor.* Legislation was enacted that amends Section 198(1-a) of the State labor law to allow the commissioner of the State Department of Labor to bring a court action or administrative proceeding to collect underpayments of wages and liquidated damages on behalf of workers, unless the employer

proves a good-faith basis for believing that its underpayment complied with the law. The bill also amends labor law Section 215(1) to (1) expand the categories of conduct protected against employer retaliation for complaints concerning wage and other labor law violations, (2) extend liability for such violations to limited-liability companies and partnerships, (3) increase the minimum civil penalty for retaliation from \$200 to \$1,000 and the maximum penalty from \$2,000 to \$10,000, and (4) allow the commissioner to award lost compensation to employees who have been victims of employer retaliation. Further, the bill amends labor law Sections 663(1) and (2) to clarify that the commissioner may use an administrative proceeding against employers to collect minimum-wage underpayments and liquidated damages and to provide that such liquidated damages be assessed, unless the employer proves a good-faith basis for believing that its underpayment complied with the law.

*Equal employment opportunity.* Legislation was enacted that prohibits an employer or licensing agency from refusing to hire or employ, or from barring or discharging from employment, an individual who has been the victim of domestic violence or stalking. “Domestic violence victim” is defined as “an individual who is a victim of an action that would constitute a family offense pursuant to Subdivision 1 of Section 812 of the State Family Court Act,” which considers the following crimes to be family offenses when the victim and abuser are related by blood or marriage, when they are in an intimate relationship, or when they have a child in common: disorderly conduct, harassment, aggravated harassment, stalking, menacing, reckless endangerment, assault, attempted assault, and criminal mischief. The bill also prohibits discrimination against a victim of domestic violence in compensation or in the terms, conditions, or privileges of employment.

*Independent contractor.* Legislation was enacted which authorizes the State Superintendent of Insurance to approve a demonstration program that provides health insurance coverage for independent workers. “Independent worker” is defined as “an independent contractor, a part-time worker, a temporary worker, or another individual who performs work outside the scope of a full-time employment relationship with an employer.” Independent workers frequently lack access to employment-based health insurance coverage. Eligible insurance companies will provide periodic reports to the superintendent in order to help him or her and the legislature evaluate the effectiveness of the demonstration program and whether the program should be expanded to other segments of the population that lack access to employment-based health insurance.

*Inmate labor.* A resolution of the State Senate and State Assembly amended the State constitution so that prisoners sentenced to several State prisons, penitentiaries, jails, and reformatories shall be allowed to voluntarily perform work for nonprofit organizations. A nonprofit organization is an organization operated exclusively for religious, charitable, or educational purposes and such that no part of the net earnings shall benefit any private shareholder or individual. The legislature may provide, by law, that the inmates may work for the State and that the products of their labor may be disposed of to the State, to any political division of the State, to any political subdivision thereof, or to any public institution owned, or managed and controlled, by the State or any political subdivision thereof.

*Minimum wage.* The State minimum-wage requirement was increased to \$7.25 per hour.

*Prevailing wage.* The State Labor Law was amended to provide requirements regarding prompt payments to employees and contractors engaged in private construction projects. Section 196-a of the labor law was amended to allow an employee, a contractor, or a certified collective-bargaining-agreement agent to complain to the commissioner of the State Department of Labor if there is a violation or an imminent violation of the requirement regarding prompt payment. The amended labor law now permits the use of arbitration by contractors as a remedy for nonpayment and sets up a system of protocols for arbitration.

*Wages paid.* Legislation was enacted that requires employers, at the time of hiring, to provide employees with written notice of their regular and overtime hourly wage rates and to obtain a written acknowledgement of receipt of such notice.

## **North Carolina**

*Child labor.* Legislation was enacted to require the commissioner of the State Department of Labor to report on its investigative, inspection, and enforcement activities pertaining to youth employment under the State Wage and Hour Act. Minimum information that must be contained in the report includes all of the educational activities the department has sponsored or participated in for the purposes of educating employers about their responsibilities under the act; the number of complaints received by the department alleging youth employment violations; the specific types of alleged violations and the ages of youths; the number of investigations concerning alleged youth employment violations; the number of administrative proceedings; the number and identity of employers cited

for violations, as well as information on violations within certain industries or occupations; the number and amount of civil penalties assessed; an explanation of obstacles to enforcement; and recommendations for funding to improve enforcement and the implementation of changes.

The State General Statutes were amended to protect the health and safety of children by increasing the penalties for violations of the child labor laws. Any employer who violates the youth employment statutes shall be subject to a civil penalty not to exceed \$500 for the first violation and not to exceed \$1,000 for each subsequent violation. The appropriateness of the penalty is determined by the size of the business and the gravity of the violation. An employer who fails to keep appropriate records of the ages of its employees and their wages, hours, and other conditions and practices of employment shall be subject to a civil penalty of up to \$250 per employee, with the maximum not to exceed \$2,000 per investigation. In the case of civil penalties, any employer who willfully violates any standard of this legislation and thereby causes the death of any employee 18 years of age or younger shall be guilty of a Class 2 misdemeanor, which may include a fine of no more than \$20,000. The employer shall be guilty of a Class 1 misdemeanor, which may include a fine of no more than \$40,000, if subsequent violations involve the death of an employee who is under 18 years of age. Whoever knowingly makes a false statement, representation, or certification shall be guilty of a Class 2 misdemeanor, and the fine shall be no more than \$20,000 for falsifications pertaining to employees who are under 18 years of age.

*Drug and alcohol testing.* If a drug-screening test for a prospective employee produces a positive result, an approved laboratory shall confirm that result by performing a second examination of the same sample. The second test must use gas chromatography with mass spectrometry or an equivalent scientifically accepted method, unless the examinee signs a written waiver at the time or after he or she receives the preliminary test result. All screening tests for current employees that produce a positive result also shall be confirmed by a second examination of the sample, utilizing gas chromatography with mass spectrometry or an equivalent scientifically accepted method.

*Equal employment opportunity.* The State Governor signed an executive order providing for equal opportunity in State employment. The order stipulates that each agency head, department head, and university chancellor is responsible for the successful implementation of the opportunity programs and that

he or she shall (1) designate an official at the deputy secretary or assistant secretary level to assume responsibility for the operation and implementation of the program, (2) designate the appropriate number of full-time equal employment opportunity (EEO) officers, (3) ensure that these officers report directly to the agency head, department head, or chancellor, as the case may be, (4) ensure that the agency's, department's, or university's commitment to equal employment opportunity is clearly transmitted to all employees, (5) provide adequate resources to the EEO officers in the development and implementation of the program, (6) ensure that the agency's, department's or university's personnel policies are administered fairly and that the personnel practices are nondiscriminatory, (7) ensure that each supervisor and management employee has, as a part of his or her performance work plan, the responsibility to comply with EEO laws and policies, and (8) provide reasonable accommodations for otherwise qualified individuals with disabilities who can perform the essential functions of the job in question if such accommodations are made.

*Minimum wage.* The State minimum-wage requirement was increased to \$7.25 per hour.

*Wages paid.* Legislation was enacted that would require a person who, in the regular course of a trade or business, pays more than \$1,500 during a calendar year as compensation other than wages to an Individual Taxpayer Identification Number (ITIN) holder to withhold 4 percent of the payment and remit the withheld taxes to the State Department of Revenue. An ITIN holder is defined as a person whose taxpayer identification number is an ITIN. An ITIN is issued to a person who is required to have a number identifying him or her as a taxpayer, but is not eligible to obtain a Social Security number.

#### North Dakota

*Equal employment opportunity.* The State enacted legislation that provides job protections for volunteer emergency responders of the adjutant general's office. A "volunteer emergency responder" is defined as "an individual in good standing as a volunteer member of the State Army National Guard or State Air National Guard; or a volunteer civilian member of the civil air patrol." The State provided that employers may not discriminate in hiring or otherwise deny employment to an individual who is a volunteer emergency responder. The employee must make reasonable efforts to notify his or her employer of any voluntary emergency responder service, and an employer can request an employee to provide written verification of times, dates, and instances during

which the employee was absent or tardy from employment because the employee served as a volunteer emergency responder in the case of a disaster or an emergency. If an employee is terminated, demoted, or otherwise discriminated against, then, within 1 year of the violation, the employee may bring a civil action that seeks reinstatement to his or her former position, payment of back wages, reinstatement of fringe benefits, and seniority rights if they were granted. If an employee is absent or tardy for 10 or more regular business days in a calendar year, the discrimination prohibitions do not apply.

Legislation was enacted which provides that a person who works under a collective-bargaining agreement, an employment contract, or public employee rights that specify a process through which recourse for discriminatory acts is available must use that process to completion before commencing an act related to the State's administrative adjudication of discriminatory practices. Any person found to have been subjected to a discriminatory act through an administrative process can apply to the State district court for an award of reasonable attorney's fees and costs. The period of limitation for bringing an action in the district court is 90 days from the date that the available process is completed or the complaint is filed, or 90 days from the date the department dismisses a complaint case or issues a written determination of probable cause, whichever is greater. In the case of statutory appeals, a request for an administrative hearing must be made within 20 days from the date that the department dismisses a complaint case or issues a determination of probable cause.

*Hours worked.* Legislation was enacted that amended Subsection 10 of Section 39-06.1-06 of the State Century Code. Under the amended legislation, commercial drivers are in violation of hours-of-service provisions if they drive more than 11 hours straight since the last 10 hours off duty or if they drive after 14 hours on duty since the last 10 hours off duty.

*Human trafficking.* The legislature created and enacted a new chapter of the State Century Code relating to human trafficking. The chapter defined a number of terms. "Human trafficking" means "trafficking in labor or sex." A person is guilty of human trafficking if the person (1) benefits financially or receives anything of value because he or she knowingly participates in human trafficking; (2) promotes, recruits, entices, harbors, transports, provides, or obtains by any means, or attempts to promote, recruit, harbor, transport, provide, or obtain by any means, another person, knowing that the person will be

subject to human trafficking. Such activities result in the commission of a AA felony if the person subject to human trafficking is under 18 years of age or an A felony if the person is 18 years or older. "Debt bondage" is defined as "the status or condition of a debtor arising from a pledge by the debtor of the debtor's personal services or those of a person under the debtor's control as a security for debt if either the value of those services, as reasonably assessed, is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined." "Forced labor or services" is defined as "labor or services that are performed or provided by another person and are obtained or maintained through a person's threat—either implicit or explicit—scheme, plan, pattern, or other action intended to cause a person to believe that if the person did not perform the labor or services, he or she or another person would suffer bodily harm or physical restraint, or that any fact or alleged fact tending to cause shame or to subject any person to hatred, contempt, or ridicule would be exposed. "Labor trafficking" is defined as "the promotion, recruitment, transportation, transfer, harboring, enticement, provision, obtaining, or receipt of a person by any means, whether the person is a U.S. citizen or foreign national, for purposes of debt bondage, forced labor or services, slavery, or the removal of organs, through the use of coercion or intimidation."

*Minimum wage.* The State minimum-wage requirement was increased to \$7.25 per hour.

*Miscellaneous.* The State amended Subsection 2 of Section 52-04-11 of the State Century Code, relating to the penalties for failure to submit employer contribution wage reports. Those penalties now include the criteria that the first month of the first delinquent report in a calendar year may be no less than \$25, the first month of any subsequent delinquent reports in a calendar year may be no less than \$100, and the maximum penalty imposed may not exceed \$500 for any single report.

The State enacted legislation that provides a tax credit for salary and related retirement plan contributions by employers who employ workers who have been mobilized for military service. Such employers are entitled to a credit equal to 25 percent of the reduction in compensation that the employer continues to pay during the taxable year to, or on behalf of, each employee during the period that the employee is mobilized. The maximum credit allowable for each eligible employee is \$1,000. The amount of the tax credit may not exceed the amount of the employer's State tax liability for the tax year, and an excess credit may be carried forward for up to 5 taxable years.

*Plant closing.* Any State or national bank organized under the supervision of the State Banking Board may maintain itself and operate separately and apart from its main banking house facilities. Any activity incidental to the business of banking may be transacted at a separate facility. Whenever any banking institution that has been granted approval to establish and maintain a separate facility deems it advisable to discontinue the facility, the banking institution may apply to the commissioner or board for cancellation or closing of that business appendage. The commissioner or board may approve the cancellation within the timeframe the board specifies. The banking institution must provide notice of the application for closure as required, and according to the rules established, by the board.

*Wages paid.* For purposes of State law as defined in the State Century Code, employee wages are due at each regular payday immediately following the work period during which the wages were earned. An employee may file a claim for wages due under the State Century Code with the State Department of Labor no later than 2 years from the date the wages are due.

The legislature enacted legislation to amend the State Century Code relating to unfair compensation of insurance company employees. Insurance company employers may no longer base the compensation, including performance bonuses or incentives, of claims employees or contracted claims personnel on either (1) the number of policies canceled, (2) the number of times coverage is denied, (3) the use of a quota limiting or restricting the number or volume of claims, or (4) the use of an arbitrary quota or cap limiting or restricting the amount of claims payments, without due consideration given to the merits of the claim.

*Whistleblower.* The State amended Section 34-11.1-04 of the State Century Code by providing that employees can claim reprisal and appeal to the State Human Resource Management Services Division if they have been subject to disciplinary action based on intentionally furnishing false information. The bill stipulates that employees can now receive assistance from the State Department of Labor, as long as a complaint is filed within 300 days after the alleged act of wrongdoing.

*Worker privacy.* The portion of the State Century Code relating to access to public records in arbitration proceedings and law enforcement work schedules was amended. The amended code states that any record containing the work schedule of employees of a law enforcement agency is exempt from public disclosure.

## Ohio

*Prevailing wage.* By law, threshold amounts for contract coverage under the State prevailing-wage law are adjusted every 2 years in accordance with the change in the Census Bureau's Implicit Price Deflator for Construction, provided that no increase exceeds 6 percent for the 2-year period. As a result, effective January 1, 2010, the threshold amount for new construction rose from \$73,891 to \$78,258 and the threshold amount for reconstruction, remodeling, or renovation increased from \$22,166 to \$23,447.

## Oklahoma

*Drug and alcohol testing.* When there is reasonable grounds to believe that an amusement park operator is operating an amusement ride while under the influence of drugs or alcohol, the commissioner of the State Department of Labor may require the operator to submit to voluntary drug and alcohol testing by a competent, qualified facility, pursuant to standards and procedures consistent with operating a motor vehicle in the State. Failure to submit to a voluntary drug or alcohol test under such circumstances shall result in the termination of the operator's certification for a period of 90 days. A positive test for drugs or alcohol pursuant to the foregoing shall result in the loss of such certification for a period of at least 30 days and until the applicant passes a subsequent drug and alcohol test, which shall be at the expense of the applicant.

*Minimum wage.* The State minimum-wage requirement was increased to \$7.25 per hour.

*Miscellaneous.* Legislation was enacted that amended the State Home Care Act. Now, no home care agency, except where provided otherwise by State law, shall place an individual in the role of supportive home assistant with a client on a full-time, temporary, or other basis, unless the individual has completed agency-based supportive home assistant training taught by a registered nurse in the sections applicable to the assistance required by the client. Each supportive home assistant who completes agency-based training shall demonstrate competence by passing a test administered by an independent entity approved by the State Department of Health. Requirements related to the application, approval, renewal, and denial of such testing entities shall be set forth in administrative rules promulgated by the State Department of Health.

*Worker privacy.* Legislation was enacted to make it unlawful for any private or public employer or any public official in the State to ask an applicant for employment to pro-

vide information about whether the applicant owns or possesses a firearm. Upon conviction, a private employer who violates this provision will be guilty of a misdemeanor punishable by a fine of at least \$1,000. A public employer or official who violates the provision shall be deemed to be acting outside the scope of his or her employment and will be barred from seeking statutory immunity from any exemption or provision of the State Governmental Tort Claims Act. "Private employer" is defined as "an individual, firm, partnership, association, corporation, or nonprofit organization that employs or offers to employ one or more persons in the State." "Public employer" is defined as "the State or any political subdivision thereof, including any department, agency, board, commission, institution, authority, public trust, municipality, county, district, or instrumentalities thereof." "Public official" is defined as "an elected or appointed official in the executive, legislative, or judicial branch of a subdivision of the State."

## Oregon

*Child labor.* Legislation was enacted to amend ORS 653.315 in order to authorize the commissioner of the State Bureau of Labor and Industries to issue special permits for the employment of children under 16 years of age in agriculture for longer than 10 hours for any one day when the commissioner determines that such hours of work will not be detrimental to the health and safety of the children employed. The bill stipulates that a child under 16 years may not be employed at any work before 7 a.m. or after 7 p.m., except during the period between June 1 and Labor Day, when the child may be employed until 9 p.m. Exceptions apply to children under 16 years who are employed in agriculture, in youth camps, as newspaper carriers or vendors, or in private residences at domestic work.

*Equal employment opportunity.* The State enacted legislation which establishes that discrimination against a person because of his or her service in one of the uniformed services is an unlawful employment practice. The bill establishes a list of prohibited acts, including discrimination in initial employment; in reemployment following a leave from employment taken by reason of service in a uniformed service; in retention in employment; in promotion; or in any other term, condition, or privilege of employment, including, but not limited to, compensation. Employers will not be considered as having committed an unlawful act if the employer acted on the basis of a bona fide occupational requirement necessary to the normal operation of the employer's business and the employer's actions could not be avoided by making a reasonable

accommodation to the person's service in a uniformed service. "Service" is defined as "the performance of duty, on a voluntary or involuntary basis in a uniformed service, that may involve active duty, active duty for training, initial active duty for training, inactive duty for training, full-time duty in the National Guard, funeral honors duty, or an examination to determine fitness for service in a uniformed service." "Uniformed service" is defined as the Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or military reserve forces.

Legislation was enacted relating to public-contracting opportunities for veterans with disabilities. The provisions of the State Public Contracting Code were amended to assert that the code may not be construed to prohibit a contracting agency from engaging in public contracting practices designed to promote affirmative-action goals, policies, or programs for disadvantaged or minority groups or to give a preference in awarding public contracts to veterans with disabilities. In carrying out an affirmative-action goal, policy, or program, a contracting agency, by appropriate ordinance, resolution, or rule, may limit competition for a public contract for goods and services, or for any other public contract estimated to cost \$50,000 or less, to contracting entities owned or controlled by the minority groups or groups of veterans with disabilities. A bidder or proposer who competes for or is awarded a public contract may not discriminate against a minority, women's, or emerging small-business enterprise certified under the State Revised Statutes or a business enterprise that is owned or operated by, or that employs, a veteran with disabilities by not awarding that entity a subcontract because it is a minority, women's, or emerging small-business enterprise or a business enterprise that is owned or operated by, or that employs, a veteran with disabilities.

The State legislature enacted the State Workplace Religious Freedom Act to protect individuals from religious discrimination related to employment practices. An employer is in violation of the act if the employer fails to allow an employee to use vacation leave or some other nonrestricted leave that is available to the employee for the purpose of allowing him or her to engage in a religious observance or practice, except when the use of the leave will impose an undue hardship on the operation of the employer's business. In addition, the employer is in violation of the act if the employer imposes an occupational requirement that restricts the ability of the employee to wear religious clothing, to take time off for a holy day, or to take time off to participate in a religious practice or observance, again except when the use of the leave will impose an undue hardship on the operation of the employer's business. A school district, education service district, or public charter school does not commit an unlawful employment practice by prohibiting a teacher

from wearing religious dress while engaged in the performance of his or her duties as a teacher.

Under the State Revised Statutes, as amended, an individual who has a physical or mental impairment that substantially limits one or more major life activities (for example, caring for oneself, performing manual tasks, seeing, hearing, walking, speaking, breathing, working, socializing, thinking, and employment) is qualified as an individual with a disability. An episodic condition or a condition that is in remission will not so qualify the individual. The bill also declares, as public policy, that individuals are guaranteed the fullest possible participation in the social and economic life of the State, the right to engage in remunerative employment, and the freedom to use and enjoy places of public accommodation without regard to disability. It is an unlawful employment practice for an employer to refuse to hire, employ, or promote; to bar or discharge from employment; or to discriminate against, in compensation or in the terms, conditions, or privileges of employment, any person on the basis of disability. Employers also are in violation of the act if they limit, segregate, or classify a job applicant or employee in a way that adversely affects the opportunities or status of the applicant or employee on the basis of the individual's disability, including uncorrected vision, unaided hearing, or a need for the employer to make a reasonable accommodation. It is unlawful for (a) an employment agency to fail to refer, or refuse to refer, for employment, or otherwise discriminate against, any individual because the person has a disability; (b) a labor organization to exclude, or to expel from its membership, an individual with a disability; or (c) a place of public accommodation to make any distinction, discrimination, or restriction because a customer has a disability.

*Family issues.* The State Family Military Leave Act, which relates to employee leave for family members of the military, was amended. During a period of military conflict, an employee who is a spouse of a member of the Armed Forces of the United States, the National Guard, or the military reserve forces of the United States who has been notified of an impending call or order to active duty or who already has been deployed is entitled to a total of 14 days of unpaid leave per deployment after the member of the military has been notified of the impending call or order to active duty and before deployment or when the member of the military is on leave from deployment. It is unlawful for an employer to (1) deny military family leave to an employee who is entitled to leave under the act or (2) retaliate or in any way discriminate against an individual with respect to hiring, tenure, or any other terms or conditions of employment because the individual has inquired about the

provisions of the act, submitted a request for military family leave, or invoked any provision of the act.

*Immigration protection.* Legislation was enacted that prohibits State agencies from expending funds to implement the Federal REAL ID Act of 2005, unless sufficient Federal funds are allocated to cover the estimated costs. The bill requires the State Department of Transportation to analyze and report on the costs of implementing the act and to provide sufficient security measures to protect individual privacy and to prevent unauthorized disclosure before issuing REAL ID-compliant identification. Further, the legislation prohibits participation in multistate or Federal shared databases, unless sufficient security measures are developed to prevent unauthorized disclosures.

Legislation was enacted that prohibits the State Department of Transportation from issuing a commercial driver's license with hazardous materials endorsement to an individual who is neither a U.S. citizen nor a permanent legal resident. The State increased the penalty for a violation of the department's out-of-service order (that is, an order suspending or revoking a license) from \$1,100 to \$2,500 for the first violation and \$5,000 for a second and each subsequent violation. The legislation also increases the civil penalty on the employer of a commercial motor vehicle operator who has violated a department out-of-service order if the employer knowingly allowed the violation. The penalty now ranges from a monetary fine of no less than \$2,700 to no more than \$25,000 and increases the suspension of the employer's commercial driver's license for the first violation of the out-of-service order from 90 days to 180 days.

*Independent contractor.* Legislation was enacted that established a State Interagency Compliance Network to enforce compliance with laws relating to taxation and employment among persons paying employees in cash. The network will, among other things, (1) work to establish consistency in agency determinations relating to the classification of workers, including, but not limited to, the classification of workers as independent contractors; (2) gather and share information relating to persons who pay workers in cash and who do not comply with laws relating to taxation or employment; (3) gather and share information relating to the misclassification of workers, including, but not limited to, misclassification as independent contractors; (4) develop investigative methods for auditing persons who pay workers in cash, or who misclassify workers, and who do not comply with laws relating to taxation or employment; (5) conduct joint audits of persons who pay workers in cash, or who misclassify workers, and who do not comply with laws relating to taxation or employment; (6) identify opportunities for, and obstacles to, improving compliance with the laws relating to the classification of workers, taxation,

or employment; (7) create a coordinated enforcement process for the laws relating to the classification of workers that is efficient, fair, and effective for the public and for the regulatory agencies charged with enforcing laws relating to taxation or employment; (8) engage in public outreach efforts to educate the public generally on the distinctions between independent contractors and employees and on the laws and regulations governing the duties relating to the classification of workers; and (9) take other actions that the member agencies deem appropriate to improve compliance with laws relating to taxation or employment that are administered by the member agencies.

Legislation was enacted that authorizes the State Construction Contractors Board to sanction independent contractors classified as exempt under State law who hire one or more employees. Sanctions include the authority (1) to revoke, suspend, or refuse to issue or reissue a license if, after due notice and the opportunity for a hearing, the board determines that an applicant or licensee is unfit for licensure on the basis of information submitted or discovered by a board investigation; (2) to assess a civil penalty; or (3) to suspend or refuse to renew a license without a hearing in any case where the administrator finds a serious danger to the public welfare. The State now requires a written contract for residential construction if the aggregate contract is greater than \$2,000. The contract must contain the "Information Notice to Owner" guidelines, which explain the rights and responsibilities of the property owner and the original contractor. Further, the bill increases the renewal period during which a formerly expired contractor's license is valid to 2 years.

*Inmate labor.* Upon the discharge or parole of an inmate from the State Department of Corrections, the department shall ensure that the paroled or discharged inmate is properly clothed and is provided with verification of his or her work history, certification of any educational programs completed during incarceration, and certification of any treatment programs completed during incarceration.

*Prevailing wage.* The State Revised Statutes relating to interstate agreements concerning prevailing-wage rates were amended. A contracting agency may not enter into an agreement with another State, or with a political subdivision or agency of another State, in which the contracting agency agrees that a contractor or subcontractor may pay less than the prevailing-wage rate on a public-works contract. This amendment is especially relevant if the contracting agency is a party to, or a beneficiary of, the agreement.

The section of the State Revised Statutes relating to the State Prevailing Wage Education and Enforcement Account was amended. The commissioner of the State Bureau of Labor

and Industries is now charged with establishing a fee to be paid by the public agency that awards a public-works contract. The fee shall be established at 0.1 percent of the contract price; however, in no event may a fee be charged and collected that is less than \$250.00 or more than \$7,500.00. The commissioner shall pay the monies received under the revised statute into the State Treasury, and the monies shall be credited to the Prevailing Wage Education and Enforcement Account. The public agency shall pay the fee at the time that the agency enters into the public-works contract.

In an amendment to the certified statement for payroll requirements, the State added the condition that contractors and subcontractors must know that the content of the certified statement is true and that it accurately includes the gross wages the worker earned upon the public works during each week identified.

The State enacted a bill that deems a contractor, a subcontractor, or any firm, corporation, partnership, or association that is found to have or have had a financial interest in a public-works project ineligible to receive a contract or subcontract for public works for a period of 3 years from the date on which the commissioner of the State Bureau of Labor and Industries publishes the contractor's, subcontractor's, firm's, corporation's, partnership's, or association's name on the State Bureau of Labor and Industries ineligible list. The reasons for a contractor to be placed on the list were expanded by one. The additional reason states that if a contractor or subcontractor has intentionally falsified information on its certified statements, its name will be added to the list. A copy of the list will be published and, upon request, furnished and made available to contracting agencies.

*Unfair labor practice.* The State enacted legislation that prohibits an employer from taking adverse employment action against an employee for declining to participate in an employer-sponsored meeting or communication about religious or political matters. There are exceptions in the case of religious or political organizations and for legally required or voluntary meetings or communications. Mandatory meetings of the employer's executives or administrative personnel to discuss ideas, including those of a religious or political nature, are not prohibited. Employees may bring a civil cause of action within 90 days of the alleged violation. Employers subject to this bill are required to post a notice of employee rights in a place normally reserved for employment-related notices and commonly frequented by employees.

*Wages paid.* The State enacted legislation mandating that all compensation by a home health agency providing home health care services or a hospice program providing hospice services to nurses providing either home health care services or hospice services must be based on

an hourly rate rather than on a per-visit basis.

Legislation was enacted relating to excise taxes imposed upon employers with respect to the wages paid by those employers to their employees. By ordinance, a district may impose, on every employer, an excise tax equal to no more than eight-tenths of 1 percent of the combined annual wages of the employer's employees. Further, a district also may impose, on each individual, a tax equal to no more than eight-tenths of 1 percent of the individual's net annual earnings from self-employment. No employer shall make a deduction from the wages of any employee to pay all or any portion of the imposed tax. The State Department of Revenue may enforce collection by the issuance of a warrant for the collection of the delinquent amount and all penalties, interest, and collection charges. An increase in any tax imposed on wages or on net earnings from self-employment and that is authorized by a mass transit district must be phased in over a 10-year period, and the district must set each annual increment rate and may not increase the rate of tax by more than 0.02 percent of the wages or net earnings from self-employment.

The State enacted legislation making it clear that deductions on wage claims may be paid into the State General Fund after actual costs and disbursements, as well as costs incurred in the prosecution of the wage claim, are deducted. The commissioner of the State Bureau of Labor and Industries can charge a claimant or respondent on a wage claim in which the commissioner has obtained a judgment.

*Whistleblower.* Legislation was enacted that prohibits employers from discriminating or retaliating against any employee if the employee has, in good faith, reported anything that he or she believes is evidence of a violation of a State or Federal law, rule, or regulation. The bill also makes it clear that an employee may file a civil action in circuit court within 1 year after the occurrence of the unlawful employment practice.

*Worker privacy.* The State enacted a bill that expanded the types of public information that are exempt from public disclosure to include certain personal information about public-safety officers, district attorneys, deputy district attorneys, prosecuting city attorneys, U.S. attorneys and assistant attorneys, attorneys general, and assistant attorneys general. The exempted information now includes the person's name, home address, and telephone number. The bill allows for the disclosure of records to financial institutions and title companies for business purposes and requires that a request for non-disclosure be in writing and that specific documents be identified by the requester. Further, the bill limits the requester to 10 documents held by the county clerk's office.

Legislation was enacted which provides that Social Security numbers, driver's license numbers, dates of birth, and other personal identifier information included in a license or application for employment are confidential. The State Construction Contractors Board can disclose personal identifier information when the disclosure is made with the written consent of the person to whom the information pertains, is required by law, or is done for the purpose of causing, conducting, or assisting an investigation into possible violations of law or of rules and regulations.

*Workplace violence.* It is an unlawful employment practice for an employer to (1) refuse to hire an otherwise qualified individual because the person is a victim of domestic violence, sexual assault, or stalking; (2) discharge, threaten to discharge, demote, suspend, or in any manner discriminate or retaliate against an individual with regard to promotion, compensation, or other terms, conditions, or privileges of employment because the individual is a victim of domestic violence, sexual assault, or stalking; or (3) refuse to make a reasonable accommodation requested by an individual who is a victim of domestic violence, sexual assault, or stalking, unless the employer can demonstrate that the accommodation would impose an undue hardship on the operation of the business. Prior to making a reasonable safety accommodation, an employer may require an individual to provide certification that the individual is a victim of domestic violence, sexual assault, or stalking. A protective order, a police report, or documentation from an attorney, law enforcement officer, health care professional, licensed mental health professional, or member of the clergy constitutes certification. A person who feels aggrieved may file a civil action, and a court may order injunctive relief and any other equitable relief, including, but not limited to, reinstatement or the hiring of employees with or without backpay.

## Pennsylvania

*Minimum wage.* The State minimum-wage requirement was increased to \$7.25 per hour.

*Whistleblower.* No licensee of the State Department of Banking or of the secretary of the department may discharge, threaten, or otherwise discriminate or retaliate against an employee regarding the employee's compensation or terms, conditions, location, or privileges of employment because the employee (or a person acting on behalf of the employee) makes (or is about to make) a good-faith report, verbally or in writing, to the employer or an appropriate authority regarding a violation of the law. Similarly, no licensee may act to retaliate against an employee because a legitimate authority requests the employee to participate in

an investigation, a hearing, or an inquiry held either by the legitimate authority or in a court action relating to a violation of the law.

## Puerto Rico

*Equal employment opportunity.* Legislation was enacted establishing a Commonwealth policy that all departments, agencies, and State and municipal dependencies shall prepare training and educational programs focused on guaranteeing equal pay for equal work for women. The Commonwealth's Department of Education, Department of Labor and Human Resources, and Women's Advocate Office were directed to prepare training and educational programs for female employees so that they may receive equal pay for equal work.

*Wages paid.* New legislation enacted by the Commonwealth established the schedule and minimum wage per hour for Sunday openings in certain commercial establishments. The wage in those covered establishments was set at \$11.50 per hour.

## Rhode Island

*Child labor.* The State General Law entitled "Employment of Women and Children" was amended by the addition of a section prohibiting the employment of minors younger than 18 years from working in a commercial adult entertainment establishment.

*Equal employment opportunity.* Discrimination based on disability, age, or sex is prohibited, and any person with a disability shall be entitled to the same full and equal access to all public accommodations as are other members of the general public. A disability is a physical or mental impairment that substantially limits one or more of the major life activities and includes any disability that is provided protection under the Americans with Disabilities Act. With respect to employment, a person who, with or without reasonable accommodations, can perform the essential functions of the employment position in accordance with the written job description and that the employer deems important to the job must be considered without reservations. An individual with a disability does not have to accept any accommodation, aid, service, opportunity, or benefit. If appropriate, accommodations for individuals must take into account the overall financial resources of the covered entity, the size of the business with respect to the number of employees, and the overall financial resources, with the proviso that undue financial strain on the facility does not enter into the accommodation equation.



*Human trafficking.* The State amended Section 11-67-6 of the State General Laws by making sex trafficking of a minor a felony. A "minor" is defined as "any natural person less than 18 years of age." Any person who recruits, employs, entices, solicits, isolates, harbors, transports, provides, obtains, persuades, or maintains, or attempts to recruit, employ, entice, solicit, isolate, harbor, transport, provide, obtain, persuade, or maintain, any minor for the purposes of engaging in commercial sex acts, or sells or purchases a minor for the purposes of engaging in commercial sex acts, or benefits financially by receiving anything of value from participation in a venture in which a minor is engaged for the purposes of a commercial sex act will be subject to no more than 40 years of imprisonment, or a fine of up to \$40,000, or both. If anyone obstructs, attempts to obstruct, or in any way interferes with or prevents the enforcement of laws prohibiting a commercial sex act involving minors, the individual will be subject to no more than 20 years of imprisonment, or a fine of up to \$20,000, or both. The State also will create an interagency task force on the human trafficking of persons, which will examine and report on the extent of the existence of human trafficking for commercial sex activity within the State. In addition, each law enforcement agency in the State will submit a semiannual report concerning the agency's enforcement of human trafficking. The report shall contain information about the number of persons arrested who are subject to the State General Law entitled "Trafficking Persons and Involuntary Servitude"; of those arrested, the number of those convicted and the number placed on probation; whether those persons pled guilty or were found guilty after a trial; and the fines or sentences of those persons. The report also shall contain a summary of the amounts of fines levied and the lengths of sentences passed.

*Prevailing wage.* Every contractor and subcontractor awarded a contract for a public work shall furnish a certified copy of its payroll records for its employees who are employed on the project to the director of the State Department of Labor and Training on a monthly basis for the preceding month's work. The director will develop reasonable rules and regulations to enforce the provisions of this legislation. Any contractor or subcontractor who fails to comply with the provisions shall be deemed guilty of a misdemeanor and shall pay the office of the director \$500 for each calendar day of noncompliance. Any person, firm, or corporation found to have willfully made a false or fraudulent representation in connection with reporting its certified payroll records shall be required to pay a civil penalty to the State Department of Labor and Training in the amount of no less than \$1,000 and no more than \$3,000 per representation.

Portions of the State prevailing-wage law were amended. The State or any city, town, agency, or committee awarding contracts for public works in excess of \$50,000 must now file, with the proper authority, good and sufficient bond covered by a surety company authorized to do business in the State. This warranty shall apply to all construction contracts awarded, and any waiver of the bonding requirements is expressly prohibited. Before being awarded a contract by the State Department of Transportation or by the State Department of Administration, every person awarded such a contract as a general contractor of construction or project manager for a project in excess of \$50,000 shall be required to furnish, to the respective department, a bond acceptable to that department in a sum no less than 50 percent and no more than 100 percent of the contract price. The bond shall contain the provisions to which the entity that provides the bond to the department is subject, and no extension of the time of performance of the contract or delay in the completion of the work thereunder or any alterations thereof shall invalidate the bond or release the liability of the surety. Any waiver of the bonding requirements of this section is expressly prohibited as well.

Legislation was enacted relating to the labor and payment of debts by contractors on public properties and works. Both contractors and subcontractors who are awarded a contract for public works shall furnish a certified copy of the payroll records of their employees employed on the project to the director of the State Department of Labor and Training on a monthly basis for the preceding month's work. Any contractor or subcontractor who fails to comply with the certified payroll requirements shall be deemed guilty of a misdemeanor and shall pay the department \$500 for each calendar day of noncompliance. Any person, firm, or corporation found to have willfully made a false or fraudulent representation in connection with reporting its certified payroll records shall be required to pay a civil penalty to the department in an amount no less than \$1,000 and no greater than \$3,000 per representation.

*Worker privacy.* The section of the State General Laws titled "Disclosure of Names of State Government" was amended to include public corporations among those bodies required to prepare and submit to the State secretary, on a quarterly basis, a listing containing (1) the name of any person who performed legal, medical, accounting, engineering, or any other professional, technical, or consultant services to the department commission, board, council, agency, or public corporation on a contractual basis during the previous quarter and (2) the amount of compensation received by each consultant during the previous quarter. In addition, copies of all contracts or agreements by which a nongov-

ernmental person or entity agrees to provide, to any of the aforesaid bodies, services valued at \$100,000 or more shall be submitted to the State secretary on an annual basis.

*Workers with disabilities.* Legislation was enacted to prevent discrimination based on disability, age, or sex. An individual meets the requirement of being regarded as having an impairment if the individual can establish that he or she has been subjected to a prohibitive action 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. Major life activities include, but are not limited to, caring for oneself (for example, tending to one's personal physical needs, such as bathing, toileting, and grooming), performing manual tasks, seeing, hearing, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. Due consideration must be given, with or without reasonable accommodation, to a person with a disability who can perform the essential functions of the job, especially if the employer has prepared a written description before advertising or interviewing applicants for the job. Job restructuring, part-time or modified work schedules, reassignment to a vacant position, and the acquisition or modification of equipment or devices are examples of accommodations for individuals with disabilities. Nothing requires an individual with disabilities to accept an accommodation that could include modifications in policies, practices, or procedures.

## South Carolina

*Immigrant protections.* The State General Assembly resolved to request that Congress make the Federal E-Verify program permanent and that Congress provide the funding and resources necessary to ensure the program's continued effectiveness.

## South Dakota

*Drug and alcohol testing.* Legislation was enacted to provide a drug-screening program for certain applicants and employees of the State Department of Agriculture Wildland Fire Suppression Division. The commissioner of the State Bureau of Personnel must establish and implement the program for applicants seeking positions in the division whose duties include firefighting, and may develop such a program for current employees whose duties include firefighting, if there is reasonable suspicion of illegal drug use by any employee. All printed public announcements or advertisements soliciting applications in the division for positions in which firefighting is a duty must disclose the requirements of the drug-screening program. Individual test

results and medical information collected are confidential, and applicants or employees may have access to their own information or test results only if they submit a written request to the commissioner. Any person illegally disclosing this information is guilty of a Class 2 misdemeanor.

*Minimum wage.* The State minimum-wage requirement was increased to \$7.25 per hour.

## Tennessee

*Immigration protections.* Legislation was enacted urging either an extension of deadlines for all phases of the State's implementation of the REAL ID Act of 2005 for at least an additional 2 years or repeal of the act in its entirety.

*Independent contractor.* The State enacted a bill that authorizes an independent contractor to employ private special deputies to provide security and law enforcement capabilities for governmental and resort property. The employment of such deputies by independent contractors would be subject to the same provisions of the law that currently apply to the employment of such deputies by the owner or management company of a resort area.

*Whistleblower.* The State amended the Tennessee Code Annotated, Title 50, Chapter 1, to clarify that civil action against a retaliatory discharge or termination of an employee by an employer for reporting illegal activities applies also to State employees and employers, private employees and employers, and persons receiving compensation from the Federal Government.

## Texas

*Drug and alcohol testing.* The State Transportation Code was amended by the addition of rules regulating the operation of a contractor carrier. The added rules require the carrier to perform alcohol and drug testing of vehicle operators upon employment, on suspicion of alcohol or drug abuse, and periodically as determined by the State Department of Transportation. Both contractor carriers and the railroad companies that employ them will be informed of the requirements of applicable State statutes.

*Equal employment opportunity.* The State Labor Code was amended to clarify the employer-employee relationship for individuals with disabilities. The amended legislation develops certain broad definitions of "disability," including "an impairment that is episodic or in remission [and] that substantially limits a major life activity when it is active; the condition is viable even if there are mitigating measures,

including medication, medical supplies and equipment, medical appliances, mobility devices, and oxygen therapy equipment." Some individuals require auxiliary aids and services, including (1) qualified interpreters or other methods of making aurally delivered materials available to the hearing impaired, (2) qualified readers, (3) taped texts or other effective methods of making visually delivered materials available to visually impaired persons, and (4) the modification of equipment to improve delivery systems. An employer is not obligated to make a reasonable workplace accommodation to a known physical or mental limitation of an otherwise qualified individual if the individual's disability is based solely on being regarded as an impairment that substantially limits at least one major life activity. A "major life activity" includes, but is not limited to, caring for oneself (for example, tending to one's personal physical needs, such as bathing, toileting, and grooming), performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. The term also encompasses the operation of a major bodily function, including, but not limited to, normal cell growth, functions of the immune system, and digestive, bowel, bladder, neurological brain, respiratory, circulatory, endocrine, and reproductive functions.

*Minimum wage.* The State minimum-wage requirement was increased to \$7.25 per hour.

*Overtime health care.* A hospital may not suspend, terminate, or otherwise discipline or discriminate against a nurse who refuses to work mandatory overtime. A hospital may not require a nurse to work overtime. Recognizing research indicating the adverse effect on patient safety when nurses work excessive hours, the legislature agreed that, in order to protect patients, support a greater retention of registered nurses, and promote adequate nurse staffing, a mechanism be established whereby nurses and hospital management participate in a joint process to determine reasonable nurse staffing. The governing body of a hospital shall adopt, implement, and enforce a written nurse staffing policy to ensure that an adequate number of nurses and an adequate mix of skills are available to meet the level of patient care needed. This goal requires the hospital to give significant consideration to the staffing plan recommended by the hospital's nurse staffing committee. The plan is based on the needs of each patient care unit and each shift and on evidence relating to patient care needs. There must be no retaliation against nurses who provide input into the committee's recommendations. The plan must be adjusted for each patient care unit in order

to provide staffing flexibility to meet patients' needs and must include a contingency option that comes into play when patient care needs unexpectedly exceed direct patient care staff resources. A nurse may volunteer to work overtime. A hospital may not use on-call time as a substitute for mandatory overtime, except in a health care disaster that increases the need for health care personnel. If a hospital determines that an emergency exists, every attempt shall be made to use voluntary overtime, call per diem nurses, assign floating nurses, and request an additional day of work from off-duty employees to meet staffing needs.

*Time off.* Legislation was enacted that allows a State employee on an unpaid leave of absence during military duty to continue to accrue State service credit for purposes of longevity pay, vacation leave, and sick leave. Leave earned during military duty is credited to the employee's balance when the employee returns to active State employment. Finally, the legislation provides that a position or membership in the State military forces is not considered to be a civil office of emolument.

*Wages paid.* The State Labor Code was amended to stipulate that a wage claim must be filed no later than the 180th day after the date that the wages claimed became due for payment. The 180-day deadline is a matter of jurisdiction. If a wage claim is filed later than the date described by Section 61.051 of the code, the examiner shall dismiss the claim for lack of jurisdiction.

The State Labor Code was amended to provide that wage claims must be filed in a manner, and on a form, prescribed by the State Workforce Commission and must be verified by the employee. The employee can now file a claim by faxing it to a telephone number designated by the commission or by any other means adopted by the commission by rule.

*Worker privacy.* Legislation that amended the State Education Code requires school districts that were previous employers to provide a copy of an individual's service records to their new employing district no later than the 30th day after the later of the date the request was made and the date of the last day of the individual's service to the district. If the previous employing school district fails to provide the newly employing school district with a copy of the record, the individual must do so, and the information must be sufficient to enable the district to determine the proper placement of the individual on the district salary schedule. The legislation defines "salary schedule" as "the minimum salary schedule or a comparable salary schedule used by a school district that specifies salary amounts based on an employee's level of experience" and "service record" as "a school district document

that indicates the total years of service provided to the district by a classroom teacher, librarian, counselor, or nurse.”

*Worker privacy.* The State enacted a bill that makes certain information confidential. The bill prohibits the disclosure of information contained in records in the custody of the pension fund for firefighters in a form that is capable of identifying a specific individual member, retiree, annuitant, or beneficiary of the fund, unless the information is disclosed to the individual or the individual’s attorney, guardian, executor, administrator, or conservator, or to some other person who the fund’s administrator determines is acting in the interest of the individual or the individual’s estate. The latter persons may include a spouse or former spouse of the individual, a governmental official or employee, or a person authorized by the individual, in writing, to receive the information. The bill authorizes the disclosure of such information if the information is disclosed pursuant to a subpoena and the fund’s administrator determines that the individual will have a reasonable opportunity to contest the subpoena.

Legislation was enacted stating that information concerning the employment of an employee of a public employee pension system is public information under the terms of Chapter 552 of the State Government Code. Included among such information is information concerning the income, salary, benefits, and bonuses received from the pension system by the employee in the person’s capacity as an employee of the system. This information is not removed from the application of the said chapter, made confidential, or otherwise excepted from the requirements of the chapter by any statute intended to protect the records of persons as members, beneficiaries, or retirees of a public employee pension system in their capacity as such. Information concerning the service of a trustee of a public employee pension system also is public information under the terms of this chapter; included among such information is information concerning the income, salary, benefits, and bonuses received from the pension system by the trustee in the person’s capacity as a trustee of the system. This information, too, is not removed from the application of the said chapter, made confidential, or otherwise excepted from the requirements of the chapter by any statute intended to protect the records of persons as members, beneficiaries, or retirees of a public employee pension system in their capacity as such.

## Utah

*Immigration protections.* Illegal immigration is an increasing concern in many States, and many are creating programs to establish some definitive direction in approaching the issue. To that end, through a concurrent resolution,

the State legislature submitted, to appropriate Federal and State entities, a resolution calling for waivers to withhold revenues received under the Federal Insurance Contributions Act (FICA) and under Medicare in order to implement employer-sponsored work programs and other strategies to deal with illegal immigration. The withheld funds would then be applied toward the health insurance and other administrative costs of the new programs. If the waiver is granted, the State’s employer-sponsored work programs would require that potential workers register as workers with the State be fingerprinted, have their names processed through the Interagency Border Inspection Name Check System, pass a medical examination, be sponsored by their employer, have health and automobile insurance, and have funds withheld by their employer to cover health insurance and the administrative costs of the work program.

Provisions of the State Identity Documents and Verification Act were amended. Among the sections added is one defining a “contract” in relation to verification of the Federal authorization status of a new employee. A “contract” is defined as “an agreement for the procurement of goods or services that is awarded through a request-for-proposals process with a public employer.” Included under the definition is a sole-source contract.

*Minimum wage.* The State minimum-wage requirement was increased to \$7.25 per hour.

*Plant closing.* The State enacted amending legislation that eliminated the reappointment register from which certain displaced career service employees formerly had to be rehired. The State Personnel Management Act holds fast, however, when career service employees appointed to an exempt position are not retained by the appointing authority because of inefficiency, incompetency, failure to maintain skills or adequate performance levels, insubordination, disloyalty to the orders of a superior, or misfeasance or malfeasance. Career service employees separated as a result of a reduction in force generally are given preferential consideration when they apply for another career service position, but the new legislation removes the Career Service Review Board’s ability to place the said employee on a reappointment register. The former employee still may be given preferential consideration, which applies only until he or she accepts a career service position. Reductions in force and determinations regarding rehiring that are caused by inadequate funds, a change of workload, or lack of work are governed by retention points established by the executive director of the State Career Service Review Board and will determine the basis and the individual ranking of the career service em-

ployee in considerations having to do with rehiring.

*Worker privacy.* The State enacted the Employment Selection Procedures Act, which places certain limits on information provided to an employer by an applicant during the initial selection process. The act limits the sharing of that information with a person other than the employer.

Legislation was enacted that modifies the conditions under which identifying information may be requested and when information may be disclosed. The bill provides that an employer may not request an applicant’s Social Security number, date of birth, or driver’s license number before the applicant is offered a job. Exceptions are when the information an employer requests is applicable to any applicant applying for the position to which the applicant in question is applying and when the information is requested during the time in the employer’s employment selection process when the employer obtains a criminal background check, a credit history, or a driving record. Another exception is when an employer has requested information from an applicant before the applicant is offered a position on the basis of a review of the employer’s internal records and the information is either (1) to be used to determine whether the applicant was previously employed by the employer, (2) to be used to determine whether the applicant previously applied for employment with the employer, or (3) to be provided to a government entity. Information disclosed to a government entity would be for the purposes of determining eligibility for, or participation in, a government service that requires the information to be collected on or before the day the offer of employment is made.

*Workers with disabilities.* The State Employment Support Act was amended to enable clients with disabilities to establish individual development accounts for the purpose of accumulating funds for the purchase of assistive technologies, modifications to vehicles, or home improvements that will allow the clients to participate in work-related activities.

## Vermont

*Worker privacy.* The State General Assembly enacted legislation that expanded the list of employers permitted to require polygraph examinations. Following is the list of employers that may now require an applicant for employment to take or submit to a polygraph examination: (1) the State Department of Fish and Wildlife (for applicants for law enforcement positions), (2) the State Department of Liquor Control, and (3) the State Liquor Control Board (for applicants for investigator positions).

## Virginia

*Child labor.* Legislation was enacted to amend Section 40.1-100 of the Commonwealth Code, relating to prohibited employment for children. The Commonwealth added the stipulation that children under 18 years of age shall not work as a driver or helper on an automobile, truck, or commercial vehicle. However, children who are at least 17 years of age may drive automobiles or trucks on public roadways if the automobile or truck does not exceed 6,000 pounds, gross vehicle weight; the vehicle has seatbelts for the drivers and passengers; and the employer requires the employee to use the seatbelts when driving. Other requirements are as follows: driving is restricted to daylight hours; the employee has a valid in-State driver's license for the type of driving involved and has no record of moving violations at the time he or she is hired; the employee has completed a Commonwealth-approved driver education course; the driving does not involve the towing of a vehicle, route deliveries or route sales, or the transportation for hire of property, goods, or passengers, including employees of the employer; the driving does not involve more than two trips away from the primary place of employment in a single day for delivering goods or transporting passengers; the driving takes place within a 30-mile radius of the employer's place of employment; and the driving is only occasional and incidental to the employee's employment and involves no more than one-third of the employee's worktime in any workday and no more than 20 percent of the employee's total worktime in any workweek.

*Human trafficking.* The Commonwealth Code was amended to broaden the definition of the term "abduction." Initially, the code stated, "Any person, who by force, intimidation, or deception, and without legal justification or excuse, seizes, takes, transports, detains, or secretes another person, with the intent to deprive such other person of his or her personal liberty or to withhold or conceal him from any person, authority, or institution lawfully entitled to his charge, shall be deemed guilty of abduction." The amended code now states, "Any person who, by force, intimidation, or deception, and without legal justification or excuse, seizes, takes, transports, detains, or secretes another person with the intent to subject him or her to forced labor or services shall be deemed guilty of 'abduction.'" The term "intimidation" shall include destroying, concealing, confiscating, withholding, or threatening to withhold a passport, immigration document, or other governmental identification or threatening to report another person as being illegally in the United States. The amendments do not apply to law enforcement

officers in the performance of their duties.

*Minimum wage.* The Commonwealth minimum-wage requirement was increased to \$7.25 per hour.

*Offsite work.* Legislation was enacted that establishes a Commonwealth Office of Telework Promotion and Broadband Assistance. The legislation charges the director of the office with the duty to advise and assist private-sector employers in the Commonwealth in planning, developing, and administering programs, projects, plans, policies, and other activities for telecommuting by private-sector employees. The legislation also charges the director with the same duty in developing private-sector incentives to encourage private-sector employers to allow employees to telecommute. In addition, the director will report annually to the Commonwealth General Assembly regarding telework participation levels and trends for both private- and public-sector employees in the State. "Telecommuting" is defined as "a work arrangement in which supervisors direct or permit employees to perform their usual job duties away from their central workplace at least 1 day per week, in accordance with work agreements."

*Prevailing wage.* Legislation was enacted to amend sections of the Commonwealth Code relating to the Commonwealth Investment Partnership Act. A new provision under the amendment defines "eligible company" as "an employer, located in a Metropolitan Statistical Area with a population of 300,000 or more in the 2000 census, who creates or causes to be created at least 300 jobs with average salaries at least 100 percent greater than the prevailing average wage."

*Wages paid.* The Commonwealth Code section regarding the payment of wages or salaries by prepaid card was amended. Employers that elect not to pay wages or salaries by lawful money or by a check payable at face value upon demand may pay via electronic automated fund transfer or by credit to a prepaid debit card or card account from which employees are able to withdraw or transfer funds, as long as the employers have made full written disclosure of any applicable fees and there is affirmative consent thereto by the employees. However, employers that elect not to pay wages or salaries by lawful money or by check to employees who are hired after July 1, 2010, shall be permitted to pay wages or salaries by credit to a prepaid debit card or card account even though such employees have not affirmatively consented thereto. If employees fail to designate an account at a financial institution, then employers may arrange for such card or card account to be

issued through a network system for as long as the employees shall have the ability to make at least one free withdrawal or transfer per pay period. Such withdrawal may be for any sum the employees may elect from the card or card account, as long as the card or card account is used at financial institutions participating in the network system.

*Whistleblower.* The Commonwealth enacted a policy that employees of the Commonwealth government will be freely able to report instances of wrongdoing or abuse committed by their employing agency, other Commonwealth agencies, or independent contractors of Commonwealth agencies. "Abuse" is defined as "an employer's or employee's conduct or omissions that result in substantial misuse, destruction, waste, or loss of funds or resources belonging to or derived from Federal, Commonwealth, or local government resources." "Wrongdoing" is defined as "a violation, which is not merely technical or minimal in nature, of a Federal or State law or regulation or of a formerly adopted code of conduct or ethics of a professional organization designed to protect the interests of the public or the employee." The legislation prohibits discrimination or retaliatory actions against whistleblowers, including an employer's discharging, threatening, or otherwise discriminating or retaliating against a whistleblower. "Whistleblower" is defined as "an employee who witnesses or has evidence of wrongdoing or abuse and who makes or demonstrates, by clear and convincing evidence, that he or she is about to make a good-faith report of, or who testifies or is about to testify to, the wrongdoing or abuse to one of the employee's superiors, an agent of the employer, or an appropriate authority."

*Worker privacy.* In legislation that amended Section 10.1-1400 of the Commonwealth Code, the Commonwealth expanded the list of data that should be excluded from employee disclosure statements to the Commonwealth Waste Management Board when the employees are seeking to hold or are holding a permit from the board. The Social Security number is no longer a requirement on the disclosure statements.

The Commonwealth also amended Commonwealth Code Section 55-510 relating to the Property Owners' Association Act requiring a member in good standing of the association or his or her authorized agent to make available, for examination and copying, all books and records kept on behalf of the association, including books and records with information on the individual salaries of all employees and on payments to independent contractors. The association's membership list, its list of addresses, the salaries of the six high-

est compensated employees of the association earning more than \$75,000, and aggregate salary information of all other employees of the association that will be made available shall not be used for purposes of pecuniary gain or commercial solicitation. Information on individual salaries will not be available for examination or copying.

## Virgin Islands

*Discharge.* Legislation was enacted that added a new chapter to the Island Code. No employer, employer's agent, representative, or designee may require its employees to attend an employer-sponsored meeting or participate in any communication with the employer or its agents or representatives for the purpose of communicating the employer's opinion about religious or political matters. In addition, no employer or employer's agent, representative, or designee may discharge, discipline, or otherwise penalize any employee as a means of requiring that employee to attend a meeting or participate in such communications. Finally, no employer or employer's agent, representative, or designee may discharge, discipline, or otherwise retaliate against any employee because the employee or the person acting on behalf of the employee makes a good-faith report, verbally or in writing, about a suspected violation of the provisions of this chapter of the Island Code.

## Washington

*Family issues.* Legislation was enacted that amended the State Revised Code in order to delay the implementation of the State Family Leave Insurance Program. The date the program is to be implemented has been delayed from October 1, 2009, until October 1, 2012. This new date defines when family leave insurance benefits are payable to an individual during a period in which the individual is unable to perform his or her regular or customary work because he or she is on family leave. Benefits are payable if the individual meets certain conditions, such as filing the required claims or having been employed for a certain number of hours during the individual's qualifying year.

*Human trafficking.* The State Revised Code was amended to require both domestic employers of foreign workers and international labor recruitment agencies to disclose certain information to foreign workers who have been referred to or hired by an employer located in the State. The disclosure statement must (1) be provided in English or, if the worker is not fluent in English, in a language that is understood by the worker, (2) state that the worker may be considered an employee under

the laws of the State, is subject to State worker health and safety laws, and may be eligible for worker's compensation insurance and unemployment insurance, (3) state that the worker may be subject to both State and Federal laws governing overtime and work hours, including the minimum-wage act, (4) include an itemized listing of any deductions for food and housing that the employer intends to make from the workers' pay, (5) include an itemized listing of the international labor recruitment agency's fees, (6) state that the worker has the right to control his or her travel documents and that the employer may not require the worker to surrender those documents to the employer or the international recruitment agency while the employee is working in the United States, except as otherwise required by law or regulation or for use as supporting documentation in visa applications, and (7) include a list of services or a hot line that a worker may contact if the worker thinks that he or she may be a victim of trafficking.

*Independent contractor.* For prevailing-wage purposes, the State defined an independent contractor as an individual employed on a public-works project who is not considered to be a laborer, worker, or mechanic and, consequently, is not required to be paid prevailing wages. This classification is applicable when (1) the individual has been and is free from control or direction over the performance of his or her services, (2) the service is outside the usual course of business for the contractor for whom the individual performs services, (3) the individual is customarily engaged in an independently established trade, (4) the individual is responsible for filing paperwork with the Internal Revenue Service, (5) the individual has an active and valid certificate of registration with the State Department of Revenue for the business the individual is conducting, (6) the individual maintains books and records separately from noncontract employment records, and (7) the individual has a valid contractor registration or license if the nature of the work requires registration or licensure.

*Prevailing wage.* In new legislation, the State provided that if the hourly minimum-wage rate stated in a public-works contract specifies residential construction rates and it is later determined that the work performed is commercial and subject to commercial construction rates, then the State, county, municipality, or political subdivision that entered into the contract must pay the difference between the residential rate stated and the actual commercial rate. The difference between the two rates must be paid to the contractor, subcontractor, or other person doing or contracting to do the whole or any part of the work under the contract.

*Time off.* The State Revised Code was amended to include the State school for the blind and the State school for the deaf as being among those institutions for which every educational service district board shall adopt written policies granting leaves to persons under contracts of employment with the district in positions requiring either certification or classified qualifications. Accumulated employee leave, as defined under the code, shall be transferred to and from one district to another, the office of the superintendent of public instruction, offices of the education service district superintendents and boards, and, now, the State School for the Blind and the State School for the Deaf, along with districts, schools, and offices of institutions of higher education, including community and technical colleges.

*Wages paid.* The State Revised Code was amended to prohibit the State Department of Social and Health Services from paying a licensed home care agency for in-home personal care services if the care is provided under the Medicaid in-home personal care program to a client by a family member of the client or by an agency employee who resides with the client receiving care. The prohibition does not apply if the family member providing care is older than the client. In addition, the legislation prohibits the department from paying a licensed home care agency if the agency does not verify its employees' hours of work by electronic timekeeping. Finally, the legislation states that if the preceding requirements are in conflict with Federal requirements that are a prescribed condition for the allocation of Federal funds to the State, the conflicting part of the enacted legislation is inoperative to the extent of the conflict and with respect to the agencies directly affected, and no further. Rules adopted under the legislation must meet Federal requirements that are a necessary condition for the receipt of Federal funds by the State.

*Worker privacy.* The State enacted a bill that amended Sections 46.52.130 and 46.01.260 of the Revised Code of Washington by allowing an employer, a prospective employer, a volunteer organization, or an agent acting on behalf of the employer, prospective employer, or volunteer organization to review a certified abstract of an individual's driving record. The review must be for employment purposes related to driving as a condition of that individual's employment or otherwise at the direction of the employer or organization.

## West Virginia

*Drug and alcohol testing.* The portions of the State Code related to the State Alcohol and Drug-Free Workplace Act were amended. The

definition of the term “preemployment drug test” was added to the act, and the term was defined as “a drug test taken within the 12 months prior to employment or 7 days after hiring.” In addition, a new section of the act states that, in instances where a worker is required by law to follow U.S. Department of Transportation drug-testing guidelines, no further drug tests are required under Section 21-1D-5a of the State Code. Finally, contractors shall provide, no less than once per year or upon completion of a project, a certified report to the public authority that let the contract for the project. The report shall include (1) information showing that education and training services were provided to the extent required by the appropriate section of the State Code, (2) the name of the laboratory certified by the U.S. Department of Health and Human Services or its successor that performs the drug tests pursuant to the code, (3) the average number of employees in connection with the construction of the public improvement; and (4) drug test results for specific categories of employees, including the number of positive tests and the number of negative tests.

*Inmate labor.* The State amended Sections 25 1-3a and 25 1-3b of the State Code, 1931. As amended, the two sections provide for the disposition of certain earnings and personal property of inmates, including money credited to a former inmate. Now, earnings must be received by the inmate within 30 days of receipt of the money by the commissioner of the State Department of Corrections. If the inmate does not claim the money within 30 days and the sum is less than \$10, the commissioner can place the money into the inmate benefit fund, from which it can be used toward the restitution of any negative balance on any inmate’s trustee account for medical copayments, legal and ancillary related postage, or photocopy fees that are due to the State if the balance is uncollectible from an inmate after 1 calendar year from the inmate’s discharge date or release on parole.

*Worker privacy.* Legislation was enacted that exempts certain records of the State Division of Corrections and Regional Jail Authority from the Freedom of Information Act. The records include information pertaining to the operation, staffing, equipping, or escape and emergency contingency plans relating to any jail or correctional facility where the disclosure of the information would jeopardize the safe,

secure, and orderly operation of the jail or correctional facility.

Legislation also was enacted that amended State Code Section 5-16-12a. The amended code requires employers to provide all documentation reasonably required to the director of the State Public Employees Insurance Agency. The documentation includes employment records sufficient to verify the actual full-time employment of the employer’s employees who participate in the Public Employees Insurance Agency plans.

### Wisconsin

*Employment agency.* The State enacted legislation that requires employment agencies to apply annually to the State Department of Regulation and Licensing for renewal of registration. Agencies will be prohibited from operating or advertising their services if their registration is not current.

*Equal employment opportunity.* Legislation was enacted which provides that a person discriminated against may bring an action in circuit court to recover damages caused by an act of employment discrimination after the completion of an administrative proceeding. If the circuit court finds that an employer has committed an act of discrimination, the employer must provide compensatory and punitive damages.

*Minimum wage.* The State minimum-wage requirement was increased to \$7.25 per hour.

*Miscellaneous.* The State enacted legislation which provides that no person may employ, offer to employ, or otherwise recruit an individual to work as a traveling sales crew worker without first obtaining a certificate of registration from the State Department of Workforce Development. “Traveling sales crew” is defined as “two or more individuals who are employed as salespersons or in related support work, who travel together as a group, and who are absent overnight from their permanent places of residence for the purpose of selling goods or services to consumers from house to house, on any street or in any other place that is open to the public.” Two or more individuals who are traveling together for the purpose of participating in a trade show or convention, or two or more immediate family members who are traveling together for the purpose of

selling goods or services, are not considered to be members of a traveling sales crew. In the bill, “traveling sales crew activities” are defined as “the sale of goods or services to consumers from house to house or in any other place that is open to the public, or related support work.” The bill requires a person who employs traveling sales crew workers to (1) provide each worker with a disclosure statement listing information such as the worker’s place of employment, compensation, and work hours, (2) ensure that motor vehicles used to transport workers are properly maintained and operated, (3) provide insurance coverage, and (4) require each worker to carry a permit that is stamped by any city, village, or town in which the worker will be conducting sales activities.

*Prevailing wage.* The State implemented major changes in its prevailing-wage law, especially in the areas that concern monetary thresholds of contracts. Up until the new legislation was enacted, the State had established monetary thresholds of \$234,000 for contracts in which more than one trade was involved and \$48,000 for contracts in which a single trade was involved. With the passage of the new legislation, the monetary threshold was decreased to a flat \$25,000 for both single- and multiple-trade contracts. In addition, for those contracts for projects dominated by private enterprise, but funded for at least \$1,000,000 by local governments, the prevailing-wage rates would apply to the entire project, no matter how much private funding is responsible for the total cost of the project.

*Time off.* Legislation was enacted that requires employers with more than 11 employees to provide a leave of absence without pay for no more than 5 consecutive days, or 15 days total, to those employees serving in an emergency service operation of the State Civil Air Patrol. Further, the bill prevents employment discrimination based on an employees’ participation in the patrol. □

### Note

<sup>1</sup> For a complete table of State minimum wages in effect on January 1, 2010, see “Minimum Wage Laws in the States—January 1, 2010 (U.S. Department of Labor, Wage and Hour Division, 2010), on the Internet at [www.dol.gov/whd/minwage/america.htm](http://www.dol.gov/whd/minwage/america.htm) (visited Jan. 21, 2010).

## Changes in Federal and State unemployment insurance legislation in 2009

*Federal enactments extend benefits, providing Federal funds to the States to cover costs; State enactments include provisions regarding base periods, extended benefits, and training programs*

Loryn Lancaster

During 2009, there were five Federal legislative enactments that affected the Federal-State unemployment compensation program.

### **The American Recovery & Reinvestment Act of 2009 (P.L. 111-5)**

The Trade Act of 1974 was amended to expand the Trade Adjustment Assistance program to cover adversely affected workers in service sector firms or public (Federal, State, or local government) agencies or subdivisions and for many other purposes.

The amount of \$250 million is appropriated to States for reemployment services for unemployment insurance claimants including information technology required to identify and serve the needs of such claimants.

Federal income taxation is excluded on the first \$2,400 of unemployment compensation received in 2009.

*Extension of Emergency Unemployment Compensation, 2008 Program (EUC08).* The ending date for the EUC08 program for new entrants is extended to December 31, 2009. The phaseout for current beneficiaries is extended to May 31, 2010.

*Increase in Weekly Benefit Amount.* A federally funded additional compensation increases the weekly unemployment compensation benefit amount by \$25 ending before January 1, 2010. The phaseout for current beneficiaries ends on June 30, 2010.

Funds (not required to be repaid) are transferred from the general fund of the Treasury

to the extended unemployment compensation account and the employment security administration account for payment of emergency unemployment compensation benefits and administration resulting from the extensions noted above.

States are prohibited from modifying the method of computation of regular compensation if it results in the average weekly benefit amount of regular compensation being lower than it was on December 31, 2008. Funds are appropriated from the general fund of the Treasury for these benefits and related administrative expenses. This provision is effective for weeks of unemployment beginning after the State enters into an agreement to make these payments and ending before January 1, 2010. The phaseout for current beneficiaries ends on June 30, 2010.

*Unemployment Compensation Modernization Incentive Payments.* Through September 30, 2011, \$7 billion is available for modernization incentive distributions from the Federal unemployment account for States whose unemployment insurance laws include certain provisions. These funds can be used for unemployment compensation benefits or unemployment insurance or employment service administration, if appropriated by State legislature. Eligibility for a State's share is divided into two components:

- One-third of State's share—The State law must provide for either a base period that uses most recent wages or an alternative base period using recent wages.

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- Remaining two-thirds of State's share—The State law must meet the base period requirement above and must contain at least two of the following four provisions:
- Unemployment compensation is payable to certain individuals seeking only part-time work.
- Individuals will not be disqualified from receiving benefits for separations due to certain compelling family reasons.
- An additional 26 weeks of unemployment compensation is paid to individuals who have exhausted benefits and who are enrolled and making satisfactory progress in certain training programs.
- Dependents' allowances of at least \$15 per dependent per week, subject to a minimum aggregation, are paid to eligible beneficiaries.

*Special Administrative Distributions.* The amount of \$500 million is provided to transfer to States. Use of funds is limited to the administration of the unemployment compensation modernization incentive provisions, outreach to individuals who may now be eligible for unemployment compensation benefits, improvement of unemployment compensation benefit and tax operations, and staff-assisted reemployment services to unemployment compensation claimants.

*Interest Due on Title XII Advances.* Interest payments due on any advances and accrual of interest on any advances is waived through December 31, 2010.

*Extended Benefits Provisions.* One-hundred-percent Federal funding of extended benefits is provided for weeks of unemployment beginning before January 1, 2010. The phaseout for current beneficiaries ends June 1, 2010.

The ending date for Federal funding of the first week of extended benefits in States with no waiting week is extended from December 8, 2009, to May 30, 2010.

States are permitted, for purposes of determining eligibility for extended benefits, to expand the definition of an individual's eligibility period to include any week beginning after an individual exhausts emergency unemployment compensation during an extended benefits period in the State. This provision is effective for weeks of unemployment beginning before January 1, 2010, with the phaseout for current beneficiaries ending on June 1, 2010.

The Railroad Unemployment Insurance Program provides a temporary increase in extended unemployment benefits from 65 days to 130 days through December 31,

2009, and makes appropriations to cover the costs.

### **The Omnibus Appropriations Act, 2009 (P.L. 111-8)**

The Omnibus Appropriations Act, 2009 makes \$422 million available through September 30, 2010, for repayable advances to the Unemployment Trust Fund (UTF) for payment of extended compensation under the Federal-State Extended Unemployment Compensation Act of 1970, advances to States for payment of compensation, and nonrepayable advances to the UTF for payments to States for compensation paid to Federal employees.

### **P.L. 111-46 (no title)**

P.L. 111-46 amends the Omnibus Appropriations Act, 2009 to make available, without fiscal year limitation, such sums as may be necessary for advances to the Unemployment Trust Fund.

### **Worker, Homeownership, and Business Assistance Act of 2009 (P.L. 111-92)**

*Emergency Unemployment Compensation (EUC08).* The second tier EUC08 entitlement is increased by 1 week, for up to a total of 14 weeks of second tier benefits, and makes the second tier available in all States.

A third tier of EUC08 is created in States in an extended benefit period. Up to 13 weeks of third tier benefits are provided. In order to be considered to be in an extended benefit period for third tier benefits, a State must meet one of the following criteria:

- State's insured unemployment rate for a week and the preceding 12 weeks is at least 4.0 percent.
- State's 3-month seasonally adjusted total unemployment rate is at least 6.0 percent.

A fourth tier of EUC08 is created in States in an extended benefit period. Up to 6 weeks of fourth tier benefits are provided. In order to be considered to be in an extended benefit period for fourth tier benefits, a State must meet one of the following criteria:

- State's insured unemployment rate for a week and the preceding 12 weeks is at least 6.0 percent.
- State's 3-month seasonally adjusted total unemployment rate is at least 8.5 percent.

The determination of whether a State is in an extended benefit period will be made as if these provisions were in the initial EUC08 enactment on June 30, 2008.

States are permitted to pay third tier benefits before the increased second tier if the State determines that paying



increased second tier benefits first would unduly delay the prompt payment of EUC08.

States are allowed to pay extended benefits prior to the payment of the 14th week of the second tier and the third and fourth tiers of EUC08 if the individual claimed extended benefits for at least 1 week of unemployment after the exhaustion of first tier EUC08.

Funds (not required to be repaid) are transferred from the general fund of the Treasury to the extended unemployment compensation account and the employment security administration account for payment of emergency unemployment compensation benefits and administration resulting from the extensions noted above.

*Unemployment Compensation Modernization Incentive Payments.* The compelling family reason criterion is amended to provide that a State qualifies for the remaining two-thirds of its share by allowing either or both of the following provisions as good cause for separating from employment, where previously only the domestic violence provision was allowed:

- Domestic violence, verified by documentation, which causes the individual to reasonably believe continued employment would jeopardize the safety of the individual or of any member of the individual's immediate family
- Sexual assault, verified by reasonable and confidential documentation as the State law may require, which causes the individual to reasonably believe continued employment would jeopardize the safety of the individual or of any member of the individual's immediate family

However, a State cannot qualify for the incentive payment if their law is amended to make access to unemployment benefits less broad in this respect.

*Federal Additional Compensation.* The monthly equivalent of any Federal additional compensation will be disregarded after November 6, 2009, for the purposes of determining an individual's eligibility for Supplemental Nutrition Assistance Program benefits.

*Federal Unemployment Tax Act (FUTA) Surtax.* The 0.2-percent FUTA surtax is extended for 1 year and 6 months through June 30, 2011.

*Railroad Unemployment Insurance.* The Railroad Unemployment Insurance Program provides an extension of extended unemployment benefits through December 31, 2010, and makes appropriations to cover the costs.

## **Department of Defense Appropriations Act, 2010 (P.L. 111-118)**

*Emergency Unemployment Compensation.* The ending date for the Emergency Unemployment Compensation Program for new entrants is extended from December 31, 2009, to February 28, 2010. The ending date for phaseout for current beneficiaries is extended from May 31, 2010, to July 31, 2010.

*Extended Benefits.* The ending dates for 100-percent Federal funding of extended benefits and the expanded extended benefits eligibility provision are extended from January 1, 2010, to February 28, 2010. The phaseout for current beneficiaries is extended from June 1, 2010, to July 31, 2010.

The ending date of the provision for Federal funding of the first week of extended benefits in States with no waiting week is extended from May 30, 2010, to July 31, 2010.

*Federal Additional Compensation.* The ending date for the Federal Additional Compensation Program is extended from January 1, 2010, to February 28, 2010. The ending date for phaseout for current beneficiaries is extended from June 30, 2010, to August 31, 2010.

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

State laws or regulations were amended in 26 States to provide for the optional extended benefits "on" indicator based on the seasonally adjusted total unemployment rate. Up to 13 weeks of extended benefits are payable if the average total unemployment rate for the most recent 3 months is at least 6.5 percent and is 110 percent of the rate for the corresponding 3-month period in either or both of the 2 previous years. Up to 7 additional weeks of extended benefits are payable if the State is in a high unemployment period, which occurs when the average total unemployment rate for the most recent 3 months is at least 8 percent and is 110 percent of the rate for the corresponding 3-month period in either or both of the 2 previous years. In general, this provision is effective for weeks for which the Federal Government pays 100 percent of most extended benefit costs, although the effective period beginning and ending dates vary among the States. The 26 States that added this provision temporarily are Alabama, Arizona, California, Colorado, Delaware, District of Columbia, Florida, Georgia, Idaho, Illinois, Indiana, Kentucky, Maine, Massachusetts, Michigan, Missouri,

Nevada, New York, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin.

*Base Periods.* The following 17 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: Alaska, Arkansas, California, Colorado, Delaware, Iowa, Idaho, Kansas, Minnesota, Missouri (provision not effective), Montana, Nevada, Oklahoma, Oregon, South Dakota, Tennessee, and West Virginia. The effective dates vary among the States.

Following are the modified or new provisions in State unemployment compensation laws, along with a list of States that amended or included that particular 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. (Arkansas, Delaware, Georgia, Hawaii, Idaho, Iowa, Kansas, Maine, Maryland, Minnesota, Montana, New York, North Carolina, Oklahoma, and Tennessee.)
- Individuals will not be disqualified from receiving benefits due to separation from employment if that separation is for (i) a compelling family reason such as domestic violence or illness or disability of the individual's immediate family or (ii) the need for individuals to accompany their spouses to places from which it is impractical for them to commute due to a change in location of the spouses' employment. (Arkansas, Colorado, Connecticut, Delaware, District of Columbia, Hawaii, Illinois, Maine, Minnesota, Mis-

souri (provision not effective), New Hampshire, New York, North Carolina, Oklahoma, Oregon, Washington, and Wisconsin.)

- Individuals who are entitled to receive benefits and who have a dependent will receive an additional \$15 per dependent per week, subject to an aggregate limitation on the total dependent's allowance of at least the lesser of \$50 or 50 percent of the weekly benefit amount. (District of Columbia, Illinois, and Tennessee.)
- 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 who have been separated from a declining occupation or who have been involuntarily separated from employment due to a permanent reduction in operations at their place of employment for entry into a high-demand occupation. (Colorado, District of Columbia, Georgia, Idaho, Iowa, Kansas, Maine, Massachusetts, Missouri (provision not effective), Montana, New Jersey, Oregon, Vermont, and Wisconsin.)

The effective dates of the provisions vary among the States.

Following is a summary of some significant changes in unemployment insurance laws in 2009 by State:

### Alaska

*Coverage.* The definition of "employing unit" is amended to include service performed for an Indian tribe resulting in unemployment insurance coverage of such services and to exclude coverage of certain services.

The definition of "employment" is amended to exclude service performed in the employ of a federally recognized tribe in Alaska, if performed in the exercise of duties as an officer of the federally recognized tribe and if the service meets the requirements of Federal law.

An Indian tribe may either pay contributions or elect to make reimbursements. (The election of reimbursement is effective January 1, 2010.)

An Indian tribe that elects reimbursement may be required to execute and file a surety bond or deposit money or securities.

Under certain circumstances, when a tribe fails to make the required payments, the reimbursement election will terminate until a time provided by the Department.

Extended benefits not reimbursed by the Federal Government must be financed in their entirety by the Indian tribe.

### Arkansas

*Financing.* The taxable wage base increases from \$10,000 to \$12,000 for any calendar year beginning after December 31, 2009.

*Nonmonetary Eligibility.* In determining what suitable work means and for refusing to apply for or accept suitable work, part-time work is considered suitable work, unless the majority of weeks of work in the period used to determine monetary eligibility are considered full-time work.

The disqualification for being discharged for misconduct is 8 weeks of unemployment, except for a discharge that occurs from July 1, 2009, through June 30, 2011; this disqualification will continue until an individual has worked in covered employment for at least 30 days in Arkansas, another State, or the United States.

*Overpayments.* Regarding the recovery of an overpayment resulting from a false state-

ment, misrepresentation, or omission that was knowingly made by a claimant, the provision is removed that provided that beginning July 1, 2001, a person will not be liable to repay such amount to the fund, except through the deduction of future benefits after 10 years from the date the determination of the amount of the overpayment becomes final.

The amount of the final overpayment will accrue interest at the rate of 10 percent per annum (formerly 1.5 percent per month) beginning 30 days after the date of the first billing statement.

The provision is removed that provided that any person held liable to repay an amount to the fund or to have the amount deducted from any future benefits payable will not be liable to repay the amount and recovery will not be made from any future benefits after 4 years from the date the determination of the amount of the overpayment becomes final.

As provided by Federal law and regulations, Federal income tax refunds will be intercepted for benefits obtained as a result of fraud.

## California

*Appeals.* The appeals board must permit a party or representative showing good cause to participate in a hearing by telephone upon request.

*Monetary Entitlement.* Requirements have been established for a subsequent new claim to be valid if an alternative base period was used to establish the previous valid claim.

The notice of the computation of the benefits sent to the claimant's base period employers must also contain the duration of benefits, the weekly benefit amount, and the maximum amount of benefits potentially payable.

The computation using the last 4 completed calendar quarters must be based on available wage information processed as of the close of business on the day preceding the date of application. The quarter with the highest wages must be used to determine the individual's weekly benefit amount. Wages used in determining benefits payable may not be used again in any subsequent benefit year.

Procedures have been established for obtaining wage information from the employer and the claimant if it is not already in the Department's system and for adjusting a determination of benefits when the quarterly wage report from the employer is received.

If any information provided by the claimant on an affidavit is erroneous, no penalty or refund of benefits will be imposed for the period prior to the calendar week in which an employer provides subsequent wage information, except in the event of fraud.

## Colorado

*Administration.* Notwithstanding certain other provisions of law, an employee leasing company must be considered an employing unit or the coemployer of a worksite employer's employees if, pursuant to an employee leasing company contract with the worksite employer, an employee leasing company has the following rights and responsibilities:

- Each employee leasing company must pay wages and collect, report, and pay all payroll-related taxes from its own accounts for all covered employees. Each employee leasing company must be responsible for the payment of unemployment compensation insurance taxes and provide, maintain, and secure all records and documents required of worksite employers under the Colorado unemployment insurance laws for covered employees.
- No later than September 30, 2009, each employee leasing company must notify the Division of Unemployment Insurance as to whether the employee leasing company elects to report and pay unemployment insurance taxes as the employing unit under its own unemployment accounts and tax rates, or whether it elects to report unemployment taxes attributable to covered employees under the respective unemployment accounts and tax rates for each worksite employer. Under either election, the employee leasing company will have the responsibility for unemployment compensation insurance as required of an employer pursuant to the Colorado unemployment insurance law. If the employee leasing company fails to make an election, the employee leasing company must report unemployment taxes attributable to covered employees under the respective unemployment accounts and tax rates for each worksite employer.
- The election made will be binding on all employers and the employing unit's related enterprises, subsidiaries, or other entities that share common ownership,

management, or control with the employee leasing company. An employee leasing company electing to report and pay unemployment insurance as the employing unit under its own unemployment accounts and tax rates following the effective date, as amended, is permitted to change the election one time after the initial election to report unemployment taxes attributable to covered employees under the respective unemployment accounts of each worksite employer by notifying the division no later than the end of the current calendar quarter. An employee leasing company's election to pay unemployment taxes under the respective unemployment accounts and tax rates of the worksite employer is final and may not be reversed.

One option for securing unemployment taxes is to have each employee leasing company execute and file a surety bond or deposit money or a letter of credit equal to 50 percent of the average annual amount of unemployment tax assessed for all covered employees regardless of the election made.

The Office of Employee Misclassification is created to investigate the misclassification of employees as independent contractors. This office will be responsible for enforcing the requirements of the law regarding classification of employees and payment of obligated employment taxes for covered employment. Employers found to be engaged in the misclassification of employees will be ordered to pay the owed back taxes and interest. Employers found willfully disregarding the law regarding misclassifying employers may be fined and issued an order prohibiting the employer from contracting with or receiving any funds for the performance of contracts from the State.

*Financing.* State law is amended to remove the paragraph that annually establishes a surcharge based on benefits paid and not chargeable to any employer's account; calculates the surcharge tax rate by dividing the benefits not changed by the total taxable payroll; allocates 50 percent to the unemployment compensation fund and 50 percent to the employment support fund; and adds the surcharge tax rate to the employer's standard or computed tax rate with 80 percent of the surcharge tax revenues considered as revenues for calculating the tax surcharge. (This calculation will be the employer's tax rate for the ensuing calendar year.)

The surcharge tax established must be segregated and deposited in the Employment

Support Fund. (Formerly, only 50 percent was deposited in such fund.)

The modified provision, effective calendar year 2009, allocates 30 percent (previously 50 percent) of the annual surcharge tax rate to the Unemployment Compensation Fund (previously the general fund), 50 percent to the Employment Support Fund, and 20 percent to the Employment and Training Technology Fund.

The modified provision, effective January 1, 2017, allocates 50 percent of the surcharge tax rate to the Unemployment Compensation Fund and 50 percent to the Employment Support Fund.

Notwithstanding any provision to the contrary, beginning July 1, 2009, through December 31, 2016, 20 percent of the surcharge tax must be credited to the Employment and Training Technology Fund, which is hereby created in the State treasury. Moneys in such fund must be used for employment and training automation initiatives and be subject to annual appropriation; they must not revert to the general fund or any other fund at the end of any fiscal year or be exempt from limitations on uncommitted reserves. If the balance of the Unemployment Compensation Fund falls below \$25 million, the moneys in the Employment and Training Technology Fund must be allocated to the Unemployment Compensation Fund. At any other time, the moneys in the Employment and Training Technology Fund may be allocated to the Unemployment Compensation Fund at the discretion of the Executive Director of the Department of Labor and Employment.

Paid benefits must be charged to the Unemployment Compensation Fund and must not affect an employer's tax rate when an individual quits his or her job to relocate to a new residence from which it is impractical to commute to the place of employment because the individual's spouse, who was stationed in Colorado and an active duty member of the U.S. Armed Forces, was killed in combat.

Employers' accounts are not charged for benefits paid due to compelling family reasons and enhanced unemployment insurance compensation benefits; these are charged to the Unemployment Compensation Fund.

*Nonmonetary Eligibility.* A modified State law changes the process of remuneration and

calculation of postponement of unemployment benefits when an employee is separated from employment. The provision provides that individuals who, because of being separated, receive additional remuneration, which is not wages and is not otherwise referred to, must have their benefits postponed for a number of calendar weeks after separation that is equal to the total amount of the additional remuneration divided by the individuals' usual weekly wage. The postponement begins with the calendar week in which the payment was received. If the number of weeks does not equal a whole number, disregard the remainder. Except as otherwise provided, any wages earned in a calendar week during postponement will be disregarded. (Previously, the law provided that if an employer identified a payment made at separation as severance pay, claim payments were postponed by the number of weeks of severance pay granted, and benefits were reduced by the same number of weeks. If the employer did not identify a payment as severance pay, the claim payment was postponed only for the week in which the payment was made and benefits were not reduced.)

The pension offset provision was changed to provide that the weekly benefit amount will not be reduced due to receipt of Federal Social Security retirement benefits. (Previously, the reduction was 50 percent.)

An individual who quits his or her job to relocate to a new residence from which it is impractical to commute to the place of employment is eligible for benefits if the relocation is a consequence of his or her spouse, who is stationed in Colorado and who is an active duty member of the U.S. Armed Forces, being killed in combat. The individual must be available for suitable work.

The above provisions relating to quitting to relocate are repealed effective July 1, 2019.

If information regarding weeks and wages for the calendar quarter immediately preceding the first day of the benefit year is unavailable from the regular quarterly reports of wage information, and the division is unable to obtain the information using other means under State or Federal law, the determination of eligibility for unemployment insurance benefits may be based on the affidavit of the unemployed individual with respect to weeks and wages for that calendar quarter. The indi-

vidual will furnish payroll documentation, if available, in support of the affidavit. The Division will verify the employee's wage information. A determination of unemployment insurance benefits based on an alternative base period will be adjusted when the quarterly report of wage information from the employer is received, if that information causes a change in the determination.

## Connecticut

*Financing.* Effective April 15, 2009, employers' accounts will not be charged for benefits paid to an individual whose separation from employment is because the individual quit his or her job to accompany his or her spouse to a place from which it is impractical to commute due to a change in location of the spouse's employment.

## Delaware

*Financing.* Wage credits for an individual who quits to accompany his or her spouse or to care for a family member with an illness or a disability will not constitute benefit wages for an employer. Wage credits related to a discharge for an individual who intends to quit to accompany his or her spouse or care for a family member with an illness or a disability or who is discharged due to circumstances related to verified domestic violence will constitute benefit wages for the employer.

## District of Columbia

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

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

The additional benefits program will be financed by funds drawn from the District Unemployment Fund or such other funds as may be available to the Director, and additional benefits paid will not be charged to the experience rating accounts of employers. (Previously, the additional benefits program was financed by revenue collected from an additional tax authorized under law.)

*Extensions and Special Programs.* The State-financed additional benefits program is modified to provide that an additional benefits period begins after August 29, 2009, based on the total unemployment rate meeting or exceeding 6.5 percent, and provided there are no other federally funded or assisted benefit programs in effect providing benefits to exhaustees of regular benefits. This additional benefits program ends after January 16, 2010, or the first day of the week prior to January 16, 2010, in which any new Federal program is in effect that provides benefits to exhaustees of all prior regular, extended, or federally funded benefits. The additional benefits program consists of 10 weeks (previously, it was 5 weeks) of Phase 1 benefits followed by 10 weeks (previously, it was 5 weeks) of Phase 2 benefits. In order to qualify for Phase 2 (the second 10 weeks of additional benefits), claimants must demonstrate they are actively seeking employment during Phase 1 (the first 10 weeks). (Previously, additional benefits were paid beginning with the third week after a week in which the insured unemployment rate was 3.75 percent and ending with either 11 consecutive weeks of such period, or the week immediately preceding the first week in which any Federal program was in effect that provided benefits to exhaustees of regular benefits, whichever occurred first.)

## **Florida**

*Financing.* The taxable wage base increases from \$7,000 to \$8,500 effective January 1, 2010. The taxable wage base decreases from \$8,500 to \$7,000 effective January 1, 2015.

Modified financing provisions require advances or loans requested by the Governor from the Federal Unemployment Trust Fund to be credited to the State's Unemployment Trust Fund.

Effective January 1, 2010, if the balance of the Unemployment Compensation Trust Fund on June 30 of the calendar year immediately preceding the calendar year for which the contribution rate is being computed is less than 4 (previously 3.7) percent of the taxable payrolls for the year ending June 30, a positive adjustment factor must be computed. The positive adjustment factor is computed by dividing the sum of the total taxable payrolls for the year ending June 30 of the current calendar year into a sum equal to one-third (previously one-fourth) of the difference between the balance of the fund as of June 30 of that calendar

year and the sum of 5 (previously 4.7) percent of the total taxable payrolls for that year. The positive adjustment factor remains in effect for subsequent years until the balance of the Unemployment Compensation Trust Fund as of June 30 of the year immediately preceding the effective date of the contribution rate equals or exceeds 5 (previously 3.7) percent of the taxable payrolls for the year ending June 30. Beginning January 1, 2015, and for each year thereafter, the positive adjustment authorized must be computed by dividing the sum of the total taxable payrolls for the year ending June 30 of the current calendar year into a sum equal to one-fourth of the difference between the balance of the fund as of June 30 of that calendar year and the sum of 5 percent of the total taxable payrolls for that year. The positive adjustment factor remains in effect for subsequent years until the balance of the Unemployment Compensation Trust Fund as of June 30 of the year immediately preceding the effective date of the contribution rate equals or exceeds 4 percent of the taxable payrolls for the year ending June 30 of the current calendar year.

Beginning January 1, 2015, and each year thereafter, if the balance of the Unemployment Compensation Trust Fund as of June 30 of the year immediately preceding the calendar year for which the contribution rate is being computed exceeds 5 (previously 4.7) percent of the taxable payrolls for the year ending June 30 of the current calendar year, a negative adjustment factor must be computed. The negative adjustment factor must be computed annually beginning on January 1, 2015, and each year thereafter, by dividing the sum of the total taxable payrolls for the year ending June 30 of the current calendar year into a sum equal to one-fourth of the difference between the balance of the fund as of June 30 of the current calendar year and 5 (previously 4.7) percent of the total taxable payrolls of that year. The negative adjustment factor remains in effect for subsequent years until the balance of the Unemployment Compensation Trust Fund as of June 30 of the year immediately preceding the effective date of the contribution rate is less than 5 (previously 4.7) percent, but more than 4 (previously 3.7) percent of the taxable payrolls for the year ending June 30 of the current calendar year. This authorized negative adjustment is suspended in any calendar year in which repayment of the principal amount of an advance received from the Federal Unemployment Compensation Trust Fund is due to the Federal Government.

As used in calculating adjustment factors, the definition of "taxable payroll" is amended to exclude any part of remuneration paid to an individual by an employer for employment during a calendar year in excess of the first \$7,000.

*Nonmonetary Eligibility.* When individuals provide notification to the employing unit of intent to voluntarily leave work and the employing unit discharges individuals for reasons other than misconduct prior to the effective date of the voluntary quit, the individuals, if otherwise entitled, will receive benefits from the date of the employer's discharge until the effective date of the voluntary quit.

When individuals are notified by the employing unit of the employer's intent to discharge individuals for reasons other than misconduct and the individuals quit without good cause prior to the date the discharge was to take effect, the claimants are ineligible for benefits for failing to be available for work for the week or weeks of unemployment occurring prior to the effective date of the discharge.

## **Georgia**

*Administration.* Notwithstanding certain provisions of law, State laws were amended to allow private and confidential information or records to be disclosed by the State auditor only in accordance with the law and Federal regulations after notice and review, upon the written direction of the Commissioner issued in advance of such disclosure.

The Georgia State Financing and Investment Commissioner is given additional powers regarding the use of Federal funds for authorization or payment of public debt.

*Financing.* The requirement is deleted that provided for the use of Reed Act moneys for unemployment benefit payments made to individuals who qualify because of use of the alternative base period.

For calendar quarters beginning on or after July 1, 2009, when an employer's combined amount of quarterly contributions and assessments due does not exceed \$5, such amount may be a de minimis amount with respect to that calendar quarter, and that quarterly payment of such de minimis amount, otherwise due before the last day of the next month following the end of the calendar quarter, may be deferred, at the employer's option until the next following January 31 reporting date. To

do so, the employer must complete the following steps:

- File all quarterly wage and tax reports, including a report of such de minimis amount due.
- Pay all other amounts due in a timely fashion.
- Make full payment of any deferred de minimis amount by the next following January 31 report date.

In the event that an employer fails to make such de minimis payments, any such deferred de minimis amount will become delinquent as of the date originally due, and the employer will be subject to all the provisions of law.

For calendar years 2010 and 2011, the provision suspends the rate increase required occurring when the calculated State-wide reserve ratio is less than 1.7 percent and at least 1.25 percent.

The State's share of the distribution for unemployment compensation administration under the Recovery Act of 2009 must be credited to the State's account in the Unemployment Trust Fund and be used solely for unemployment insurance program administration.

## Hawaii

*Financing.* The effective date for the experience record calculation when an employing unit transfers its organization, trade, or business to another employing unit changed to the calendar year immediately following the date of the transfer of the organization, trade, or business (effective the calendar quarter immediately following the transfer).

*Nonmonetary Eligibility.* State laws were established to clarify and temporarily codify in statute (through June 30, 2012) the existing partial unemployment provisions. Effective July 1, 2012, the Act will be repealed, and the statutory provisions will be reenacted as they existed on June 30, 2009.

## Idaho

*Coverage.* The definition of "employment" is amended to exclude service performed by an individual engaged in the trade or business of selling consumer products in a private home or a location other than in a permanent retail establishment, provided certain criteria are met.

Effective on and after January 1, 2010, the time period in which job training can be

completed is extended from 1 year to 2 years, except that this requirement may be waived pursuant to rules the Director may prescribe.

## Illinois

*Administration.* The Department of Employment Security's authority to issue revenue bonds is extended through December 31, 2012. (Previously, this authority was set to expire December 31, 2009.)

*Monetary Entitlement.* The existing dependents' allowance statutes are amended to provide that beginning in 2010 the allowance for a nonworking spouse shall be calculated as the greater of either 9 percent of his or her prior average weekly wage rounded to the next higher dollar, or \$15, provided that the total amount payable shall not exceed 56 percent of the statewide average weekly wage.

## Indiana

*Administration.* An Unemployment Insurance Oversight Committee is established to oversee implementation of legislation and administration of the Unemployment Insurance Program and to make recommendations for improvement. The new provision defines membership of the committee and appropriates general fund money for operation of the committee. This provision will expire on July 1, 2011.

By September 30, 2009, the Commissioner must meet the following criteria:

- Examine the costs of implementing changes to eligibility and other requirements in order for the State to qualify for the maximum amount available under the American Recovery and Reinvestment Act of 2009.
- Compare the cost determined above to the maximum amount available to the State as a result of making the changes.
- Initiate the changes above unless it is determined that a negative fiscal impact outweighs the benefits of the amount available and the expansion and other eligibility requirements of the State's system.
- Submit an electronic report to the legislative council, the committee, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate.

The report must include the following information:

- Details of the Commissioner's actions or decision not to initiate changes
- Recommendations for any legislation necessary to modify the State's system in order to qualify for the amount available under the Recovery Act
- An analysis of the fiscal impact to the fund of the Commissioner's actions or decision not to initiate change and any legislation recommended

The Department may charge a fee of up to \$2 for each record that provides information about an individual's last known employer released in compliance with a court order.

Effective July 1, 2009, State law requires written notice to the employer after a determination of eligibility. The written notice must include time by which the employer must respond, complete information on the rules of evidence, and standards of proof that the Department will apply to determine the validity of the claim if the employer disputes the claim.

An Unemployment Claims Compliance Center was established no later than January 1, 2010. Claims must be referred to the compliance center for investigation when information provided by the individual does not match information from the separating employer.

The Hoosier Workers First Training Program is established to improve manufacturing productivity levels, enable firms to become competitive, create and retain jobs, encourage training, and avoid payment of unemployment compensation by providing enhanced job skills. The Department shall administer the program and report on the fund annually.

*Appeals.* Effective July 1, 2009, State law provides for annual training of all administrative law judges, review board members, and other individuals who adjudicate claims concerning unemployment compensation law, rules for the conduct of hearings and appeals, and rules of conduct during a hearing and other adjudicative process.

The Department must monitor hearings and decisions to ensure that the hearings and decisions strictly comply with the law and the rules of conduct. An individual who does not strictly comply with the law and the rules, including rules of conduct, is subject to disciplinary action up to and including suspension or termination.

An employer must be notified of transfer of hearing to the review board prior to de-

termination or action concerning a claim. Notice of hearing must include complete information about the rules of evidence and standards of proof that will be used to determine the validity of a claim. An employer must be supplied with information necessary to the proper presentation of a matter before the hearing. (Previously, the law required it for claimant only.)

*Coverage.* Effective July 1, 2009, the definition of “employing unit” is expanded to include limited liability partnerships. Two or more entities who concurrently employ the same individual and utilize a common paymaster are an employing unit. The definition of “employment” is expanded to include service performed for certain entities including limited liability partnerships.

*Financing.* Effective July 1, 2009, State law provides for a transfer to the Unemployment Insurance Benefit Fund of the amount by which the balance in the Special Employment and Training Services Fund exceeds \$8,500,000.

The Hoosier Workers First Training Fund will be established to administer the costs of the Hoosier Workers First Training Program, undertake any program activity that furthers the purpose of the program, and obtain all information necessary to determine qualifications for a grant and allocate money in the fund.

The employer’s experience account must be charged 50 percent of the benefits paid if the employer did not provide information and the individual was later determined to be ineligible. If the employee repays all or part of the benefits on which determination is based, the employer must receive a credit equal to the amount of the repayment. If the employee repays benefits, the employer must receive a credit equal to the amount repaid by the employee up to the amount charged to the employer’s experience account.

The taxable wage base increased to \$9,500 during a calendar year beginning after December 31, 2009. (Previously, the taxable wage base was \$7,000.)

Effective July 1, 2009, the definition of “payment in lieu of contributions” is amended to include extended benefits not reimbursed by the Federal Government. (Previously, it was half of extended benefit costs.)

Effective after December 31, 2009, employers must pay contributions equal to 12 percent of wages after December 31, 2009, except as otherwise provided.

Employers making payments in lieu of contributions will be charged for benefits not reimbursed by the Federal Government under extended benefits.

The new employer rate is 2.5 percent for each calendar year after December 31, 2009. For State or political subdivisions of the State, employer contribution rate is raised to 1.6 percent (from 1 percent) after December 31, 2009.

After December 31, 2009, in addition to other conditions and requirements, the employer rate raises to 12 percent (previously 5.6 percent) for employers who fail to file required contribution and wage reports within 31 days following the computation date, and who fail to pay all contributions, penalties, and interest due and owing by the employer or predecessor before and including the computation date within 31 days following the computation date, or within 10 days after written notice of delinquency or failure to file, whichever is the later date. Rate may be waived if the employer’s failure to meet deadlines was for excusable cause. Written notice to the employer is required before the additional condition or requirement will apply.

There is a new fund ratio schedule, and there are new rate schedules, which include additional schedules and different ranges of rates for accounts with credit or debit balances for calendar years after December 31, 2009. Rates range from 0.75 percent to 10.2 percent for Schedule A (previously 1.2 to 5.7 percent) and 0 percent to 5.4 percent for Schedule I (new). For calendar year 2010, Schedule B will be used to assign each employer’s contribution rate.

Additional factors are added related to limited liability partnerships, including a change in the percentage used to determine ownership (from at least 80 percent to more than 50 percent) for the Department to consider when determining whether an employing unit or other person acquired a business solely for the purpose of obtaining a lower contribution rate.

*Monetary Entitlement.* Effective January 1, 2010, State law increases the wage credits required for an individual to qualify for benefits to 1.5 (previously 1.25) times the wages in the highest quarter, wage credits of \$2,500 in the last 2 quarters (previously \$1,650), and total base period wages of \$4,200 (previously \$2,750).

*Nonmonetary Eligibility.* Effective July 1, 2009, the Department may waive certain re-

quirements concerning registering for work and reporting for a week when an individual meets one of the following criteria:

- The individual is attending approved training.
- The individual is a job-attached worker with a recall date not more than 60 days after the separation date.
- The individual is using a hiring service, referral service, or job placement service determined by the Department.
- The individual is a party to any other situation the Department considers inconsistent with the purpose of the article.

Effective July 1, 2009, at least one application for work must be submitted for each week that an individual claims benefits; an online application complies with this requirement.

The maximum benefit amount will be reduced for individuals separated from employment under disqualifying conditions or who fail to apply for suitable work (amounts rounded to the next higher dollar):

- For the first separation or failure to apply, the maximum benefit amount is reduced by 75 percent.
- For the second separation or failure to apply, the maximum benefit amount is reduced by 85 percent of the reduced maximum benefit amount for the first separation or failure to apply.
- For the third and subsequent separation or failure to apply, the maximum benefit amount is reduced by 90 percent of the reduced maximum benefit amount for the second separation or failure to apply.

The definition of “discharge for just cause” is modified to include violation of an employer rule regarding attendance or unsatisfactory attendance if the employer does not have an attendance rule and the individual cannot show good cause for absences or tardiness.

The definition of “suitable employment” is changed to include the following requirements:

- Work is considered suitable if the earnings are not less than 90 percent of the individual’s prior weekly wage during the fifth through eighth week of unemployment.
- Work is considered suitable if the earnings are not less than 80 percent of the

prior weekly wage after 8 consecutive weeks of unemployment.

- Work is not considered suitable if it pays less than Indiana's minimum wage.

Effective July 1, 2009, the definition of "gross misconduct" was expanded to include any of the following committed in connection with work, as determined by the Department by a preponderance of the evidence:

- Working, or reporting for work, in a state of intoxication caused by individual's use of alcohol or a controlled substance
- Battery on another individual while on the employer's property or during work hours
- Theft or embezzlement
- Fraud

An employer has the burden of proving by a preponderance of the evidence that a discharged employee's conduct was gross misconduct. The employer may present evidence that the employer filled or maintained the position or job held by the discharged employee after the employee's discharge.

Evidence may be presented that a discharged employee's conduct did not result in prosecution or conviction for an offense. If evidence is presented that an action or requirement of the employer may have caused the conduct that is the basis for the discharge, conduct is not gross misconduct. Lawful conduct not otherwise prohibited by an employer is not gross misconduct.

## Iowa

*Extensions and Special Programs.* Employing units must provide that the duration of the shared work plan will not exceed 52 weeks (previously 26 weeks) as a condition of approval. Other language is removed that limited short-time compensation to 26 weeks during the individual's benefit year.

*Financing.* Future Federal funds received by the State pursuant to Section 903 of the Social Security Act (SSA) due to this enactment are appropriated to be placed in the Unemployment Compensation Trust Fund; the July 1, 2009, computation date is delayed until such funds are received, but no later than September 5, 2009, if the funds are not received on or before that date. The contribution rate table must use data as of July 1, 2009, except for inclusion on the Unemployment Compensation

Trust Fund balance of funds received pursuant to Section 903 of the SSA.

Contributing employers' and reimbursable employers' accounts are not charged for training extended benefits paid to an individual while attending training with the approval of the Director or in a job training program pursuant to the Workforce Investment Act of 1998.

## Kansas

*Extensions and Special Programs.* State law is modified to prohibit shared work claimants from qualifying for the additional benefit for 2 consecutive years after the training benefits expire.

## Louisiana

*Administration.* If an employer fails to file any payroll report in the manner prescribed or approved by the Administrator for more than 20 days after the due date, the employer may be assessed a penalty. The penalty will be equal to 5 percent of the total amount due for the quarter or \$25, whichever is greater. If the failure to file any payroll report continues for more than 30 days, an additional penalty of 5 percent of the total amount due for that quarter or \$25, whichever is greater, will be assessed for each 30-day period or fraction thereof. The total penalty will not exceed 25 percent of the total amount due for the quarter or \$125, whichever is greater.

For prompt determination of claims, employers must provide wage, employment, and separation information, and they must complete all forms and reports within 10 days from the date of mailing a request in order to be timely. Failure to provide this information in a timely manner without good cause is deemed abandonment of appeal rights, but with good cause is not. Any appeal filed must be dismissed, except at the discretion of the referee, and the employers will be liable for any benefits paid.

## Maine

*Financing.* The Emergency Unemployment Benefit Reimbursement Fund is established to reimburse eligible reimbursing employers for the cost of extended benefits paid as a result of the trigger of the total unemployment rate "on" indicator. The amount of \$600,000 is appropriated and allocated to this fund from the general fund from 2009 to 2010.

## Maryland

*Monetary Entitlement.* Effective October 1, 2009, the maximum weekly benefit amount increased from \$380 to \$410; the minimum qualifying wages needed in the base period to qualify for the maximum weekly benefit amount increased from \$13,680 to \$14,760; and the high quarter wages needed in the base period to qualify for the maximum weekly benefit amount increased from \$9,096.01 to \$9,816.01. These revised weekly benefit amounts are applicable to claims filed establishing a new benefit year on or after October 4, 2009.

Effective October 1, 2010, 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 increases from \$14,760 to \$15,480; and the high quarter wages needed in the base period to qualify for the maximum weekly benefit amount increases from \$9,816.01 to \$10,296.01. These revised weekly benefit amounts are applicable to claims filed establishing a new benefit year on or after October 3, 2010.

*Nonmonetary Eligibility.* For those qualified individuals with a disability, their disabilities may not be used as a factor in finding that an individual is not available for work or actively seeking work.

The same eligibility provision concerning severance or dismissal payments applies whether the unemployment resulted or did not result from abolishment of the individual's job. (Previously, separate severance or dismissal payments provisions applied to unemployment resulting from abolishment of jobs and unemployment not resulting from abolishment of jobs.) This provision is applicable to all claims filed establishing a new benefit on or after June 7, 2009.

## Massachusetts

*Extensions and Special Programs.* State laws were amended to provide for the optional "on" indicator based on an insured unemployment rate of 6 percent for the current week and the immediately 12 preceding weeks.

## Michigan

*Administration.* Benefits rights determinations and information obtained from any employing unit or individual are confidential and can only be disclosed to public employees and



public officials performing official duties and to agents or contractors of those public officials including a college, university, or agency of Michigan conducting research that assists the public official in carrying out the duties of the office. The Unemployment Insurance Agency must enter into a written enforceable agreement with the public official that holds the official responsible for ensuring that the agent or contractor maintains the confidentiality of the information or terminates the agreement if violated. The public officials may be subject to penalties that apply to persons associated with a college, university, or a public agency who disclose confidential information.

Information in the Commission's possession that may affect a claim or a charge to an employer's experience account must be available to interested parties and their agents, if their agents provide the Unemployment Insurance Agency with a written authorization of representation from the party represented. Under certain circumstances such authorization is not required.

Subject to restrictions, information in the Commission's possession may be made available to the Bureau of the Census of the Economics and Statistics Administration of the U.S. Department of Commerce.

A recipient of confidential information must use the disclosed information only for purposes authorized by law and consistent with the agreement entered into with the Unemployment Insurance Agency. A recipient of confidential information must not redisclose the information to any other individual or entity without the written permission of the Unemployment Insurance Agency.

*Financing.* For benefit years beginning after March 30, 2009, benefits paid to a person who leaves employment to accompany a spouse who is a full-time member of the U.S. Armed Forces and is reassigned for military service in a different geographic location are not chargeable to the employer, but will be charged to the nonchargeable benefits account.

Notwithstanding any other provision of the law, if interest due during a calendar year on Federal advances is forgiven or postponed under Federal law and is no longer due during that calendar year, no solvency tax will be assessed against an employer for that calendar year, and any solvency tax already assessed and collected against an employer before the forgiveness or postponement of the interest for that calendar year will be credited to the employer's experience account.

Obsolete provisions were deleted that provided that the nonchargeable benefits account will be charged with the share of extended benefits that are otherwise charged to the account of a contributing employer, during a period when extended benefits are paid based on the average rate of total unemployment with respect to benefit charges for extended benefits paid for weeks of unemployment beginning the week after the week in which benefits become effective and ending the week ending January 17, 2004.

*Nonmonetary Eligibility.* An individual will not be disqualified for voluntarily leaving work if the individual is the spouse of a full-time member of the U.S. Armed Forces, and the leaving is due to the military duty reassignment of that member of the U.S. Armed Forces to a different geographic location.

## Minnesota

*Administration.* Effective August 2, 2009, the Commissioner may accept an applicant certification based upon applicant records to issue a determination of benefit account when a wage detail is not yet due and the applicant is using an alternate base period.

Effective August 2, 2009, an employer must provide wage detail information on an applicant within 5 calendar days of the request when the applicant is using an alternate base period.

State law is amended to authorize American Recovery and Reinvestment Act 2009 (ARRA) funds for unemployment insurance administration and require interpretation of changes to be consistent with ARRA requirements for incentive payments.

An employer may be assessed a \$100 administrative penalty for failing to provide a weekly breakdown of money earned by an applicant if the information is necessary to detect applicant fraud. The breakdown notice must state that this penalty may be assessed. This \$100 penalty and the existing \$500 penalty for refusing to allow record audits or for failing to make all records available must be credited to the trust fund (effective August 2, 2009, and applicable to determinations and decisions issued on or after that date). (Previously, penalties were credited to the administration account for use to ensure integrity in unemployment insurance program administration.)

The definition of "construction/independent contractor" is expanded, for purposes of Chapter 78, Section 181.723, to determine whether a worker is an independent contrac-

tor or an employee when performing public or private sector commercial or residential building construction or improvement services (effective August 2, 2009, and applicable to determinations and decisions issued on or after that date).

The term "continued request for unemployment benefits" is defined and procedures for completing this request form are established. Each applicant must file such request either by electronic transmission or by mail by the time period required. If the applicant fails to meet the required time period, the application is not accepted, and the applicant is ineligible, unless good cause is shown for such failure (effective August 2, 2009, and applicable to determinations and decisions issued on or after that date).

The term "determination" is defined to mean a document sent to an applicant or employer by mail or electronic transmission that is an initial Department ruling on a specific issue. All documents that are determinations use that term in the title of the document and are appealable to an unemployment law judge (effective August 2, 2009, and applicable to determinations and decisions issued on or after that date).

The requirement is deleted that provided that employers be notified within 10 calendar days of the effect of failing to raise an issue of ineligibility due to a quit or discharge (effective August 2, 2009, and applicable to determinations and decisions issued on or after that date).

The definition of the term "able to work" is repealed.

The following subdivisions pertaining to the active benefit account are repealed:

- Active benefit account
- Continued biweekly request for unemployment benefits defined
- Methods for filing continued biweekly requests for benefits
- Continued biweekly request for unemployment benefits by electronic transmission
- Continued biweekly request for unemployment benefits by mail
- In-person continued biweekly request for unemployment benefits
- Good cause
- Good cause defined

*Appeals.* Appeals must be filed online if filed by an agent of the employer. This requirement

is not applicable to an employee filing on behalf of an employer. All information requested must be supplied when the appeal is filed to constitute an appeal (effective April 1, 2010, and applicable to determinations and decisions issued on or after that date).

Procedures are established for conducting evidentiary hearings by unemployment law judges. Procedures are established for considering requests for subpoenas.

*Coverage.* A personal care assistant has the option of being the employee of a referring agency or the employee of the patient, assuming direction and control exists.

*Extensions and Special Programs.* The Shared Work Program provisions are modified as follows:

- An employer's plan must include date of hire (must be at least a year before submitting agreement) for participating employees.
- Employees participating in the program must work at least 20 hours per week (previously at least 24 hours per week).
- The duration of the agreement must be at least 2 months.
- Plans may not be approved if the employer has unemployment tax, reimbursement, interest fees, or penalties due but unpaid; has the maximum experience rating; or is in a high-experience rating industry.
- An employer may cancel the agreement upon 7 days notice; they must provide written notice to participating employees and may not enter into a new agreement for at least 60 calendar days.

A special State Emergency Unemployment Compensation Program is established for exhaustees of regular benefits who meet the following requirements:

- They do not qualify for unemployment benefits under the Federal EUC 2008 Program (EUC08) because they do not meet the 20 weeks of full-time insured employment or the equivalent in insured wages of not less than 40 times the applicant's weekly benefit amount requirement of that program.
- They meet all requirements under the Minnesota unemployment compensation law and under the EUC08 Program except the employment or earnings requirement.

The special State emergency unemployment compensation benefits must be paid in the same amounts, the same duration, and for the same time period as provided for under the EUC08 Program and any later amendments.

Special State emergency unemployment compensation benefits must be paid from the Minnesota Unemployment Insurance Program Trust Fund and must not be used in computing the future unemployment tax rate of a taxpaying employer or charged to the reimbursing account of a Government or non-profit employer.

The above special State Emergency Unemployment Compensation Program is effective on February 1, 2009, applies only to weeks of unemployment after February 1, 2009, and expires on June 30, 2010. No benefits will be paid for a week beginning after that date.

Unemployment benefits are payable to an employee in the Workforce Innovation in Regional Economic Development Program in proportion to the amount of the worker's reduced hours as though the employee were qualified under the Shared Work Program. The training program must be contained in a written plan signed by an officer of the employer and the Commissioner (or designee) of Department of Employment and Economic Development (expires June 30, 2011).

A Self-Employment Assistance (SEA) Program is established effective May 15, 2009, and expiring June 30, 2012. The number of applicants to the SEA program is limited to a maximum of 500.

*Financing.* The administration account also consists of money received from the Federal Government to administer any Federal unemployment insurance program or assistance provided to any other State to administer that State's Unemployment Insurance Program and any money credited to this account under Chapter 78.

The language is deleted that requires the establishment of a reimbursable account for the State or political subdivision when electing to be a taxpaying employer and for a nonprofit organization electing to make reimbursements. All of the following language regarding termination of the election as a taxpaying employer and regarding the election to make reimbursements is deleted: Termination and election are allowed only if such entities since the beginning of the experience rating period paid taxes equal to or more than 125 percent of the benefits used in computing the experience rating. In addition, any unemployment benefits paid after the experi-

ence rating period are transferred to the new reimbursable account of such entities. If the amount of taxes paid since the beginning of the experience rating period exceeds 125 percent of the amount of unemployment benefits paid during the experience rating period, that amount in excess is applied against any unemployment benefits paid after the experience rating period (effective August 2, 2009, and applicable to determinations and decisions issued on or after that date).

Any interest, penalties, or fees due from an employer or any portion due may be cancelled at any time. This does not apply to unemployment insurance taxes or reimbursements due (effective August 2, 2009, and applicable to determinations and decisions issued on or after that date).

The provision is deleted that allowed for the 24-month time period in which the Commissioner may compromise in whole or in part any action, determination, or decision that affects only an employer and not an applicant in regard to the taking of \$500 or more in money or property by an employee from the employer (effective August 2, 2009, and applicable to determinations and decisions issued on or after that date).

Any compromise involving an amount over \$10,000 (previously \$2,500) must be authorized by an attorney licensed to practice law in Minnesota who is an employee of the Department designated by the Commissioner for that purpose (effective August 2, 2009, and applicable to determinations and decisions issued on or after that date).

The provision is deleted which would exclude benefits paid from being used in computing the future tax rate of a taxpaying base period employer or charged to the reimbursable account of a base period nonprofit or Government employer electing reimbursements when the employer is in the tourist or recreation industry and is in active operation of business less than 15 calendar weeks each year, and the applicant's wage credits from the employer are less than 600 times the applicable State or Federal minimum wage (effective August 2, 2009, and applicable to determinations and decisions issued on or after that date).

The provision is deleted that allowed interest on past due taxes to be compromised (effective August 2, 2009, and applicable to determinations and decisions issued on or after that date).

The provision is deleted that allowed that the replacement of money wrongfully used may come from the contingent account, and

if the money is not replaced from the contingent account, it is the policy of the State that the money be replaced by money appropriated for that purpose from the general funds of the State (effective August 2, 2009, and applicable to determinations and decisions issued on or after that date).

The provision is deleted that required the costs and fees collected relating to insufficient funds, filing, recording, sheriff, collection agencies, litigation, and an attorney must be used to ensure integrity in the unemployment insurance program administration.

The contingent account will no longer consist of all money appropriated by the legislature. The money in this account will no longer supplement all Federal money available to the Commissioner and will not be appropriated and available to the Commissioner. All money in this account is appropriated and available for administration of the Unemployment Insurance Program of the State unless otherwise appropriated by session law. The provision is deleted that required that on June 30 of each year all amounts in excess of \$300,000 in this account be paid over to the trust fund (effective August 2, 2009, and applicable to determinations and decisions issued on or after that date).

Computations of money required under Chapter 78 that do not result in a whole dollar are rounded down to the next lower whole dollar, unless specifically provided otherwise by law (effective August 2, 2009, and applicable to determinations and decisions issued on or after that date).

Benefits paid will not be used in computing the future tax rate of a taxpaying base period employer when benefits were allowed because of a quit or discharge and the decision is later reversed (effective August 2, 2009, and applicable to determinations and unemployment law judge decisions issued on or after that date).

The Commissioner, in consultation with others, is directed to determine and implement the appropriate pay level for unemployment law judges.

*Monetary Entitlement.* An applicant for benefits must have wage credits in the high quarter of \$1,000 or more to establish a benefit account using the secondary base period, effective for unemployment benefits filed on or after August 2, 2009.

An application for benefits may be backdated if the applicant requests the backdating at the time of filing the application (effective August 2, 2009, and applicable to determi-

nations and decisions issued on or after that date). (Previously, backdating was allowed upon a specific request of an applicant.)

An established benefit account may later be withdrawn only if the applicant has not been paid any unemployment benefits on that account, a new application for unemployment benefits is filed, and a new benefit account is established at the time of the withdrawal. The language is deleted that provided that the benefit account may be withdrawn only if the claimant has not served the nonpayable waiting week (effective August 2, 2009, and applicable to determinations and decisions issued on or after that date).

*Nonmonetary Eligibility.* If the pension retirement or annuity payment is paid in a lump sum, the applicant is not considered to have received a payment if that payment is an early distribution for which the applicant paid an early distribution penalty under the Internal Revenue Code (effective May 15, 2009, and retroactive to December 1, 2008).

The definition of “available for suitable employment” is modified to mean an applicant is ready and willing to accept suitable employment (effective August 2, 2009, and applicable to determinations and decisions issued on or after that date). (Previously, “available for suitable employment” meant being ready and willing to accept suitable employment in the labor market area.)

The definition of “available for suitable employment” is modified by removing the requirement that an applicant have transportation throughout the labor market area to be considered available for suitable employment (effective August 2, 2009, and applicable to determinations and decisions issued on or after that date.)

An applicant electing to become temporarily unemployed to avoid the layoff of another employee with the applicant’s employer due to lack of work is not ineligible for benefits under the leave of absence provision, or ineligible under the quit provision if certain requirements are met. Other requirements must be met including being available for suitable employment with a different employer for benefits to be payable (effective August 2, 2009, and applicable to determinations and decisions issued on or after that date).

An individual who within 5 calendar days after completion of a suitable temporary job assignment from a staffing service employer accepts employment with the client of the staffing service is not ineligible under the voluntary quit provisions (effective August 2,

2009, and applicable to determinations and decisions issued on or after that date).

“Immediate family member” is defined as an applicant’s spouse, parent, stepparent, son, daughter, stepson, stepdaughter, grandson, or granddaughter.

The definition of “reemployment assistance training” is modified, and apprenticeship training is considered “reemployment assistance training.”

Unless an applicant is in reemployment assistance training, a student who has regularly scheduled classes must be willing to discontinue classes to accept suitable employment when class attendance restricts applicant from accepting suitable employment, and the applicant cannot change the scheduled class or make other arrangements.

Effective August 2, 2009, State law is amended to provide that misconduct will not include the following conditions:

- Conduct that is a consequence of applicant’s mental illness or impairment
- Conduct that results in an absence in order to provide necessary care to an immediate family member because of illness, injury, or disability, if proper notice is given to the employer
- Conduct that is a result of domestic violence to the applicant or immediate family

Effective August 2, 2009, conduct involving only a single incident is an important fact that must be considered in deciding whether it rises to the level of misconduct violating the employer’s standards of behavior.

*Overpayments.* If the Internal Revenue Service assesses a fee for offsetting from a Federal tax refund the amount of any fraud overpayment, including penalties and interest, the amount of the fee may be added to the total amount due. The offset amount must be put in the trust fund and credited to the total amount due from the applicant (effective August 2, 2009, and applicable to determinations and decisions issued on or after that date).

Nonfraud and fraud overpayments, penalties, and interest assessed may also be collected by the methods allowed under State and Federal law (effective August 2, 2009, and applicable to determinations and decisions issued on or after that date). (Previous law allowed collections by the same methods as delinquent payments from an employer.)

The provision is deleted that required that 37.5 percent of the money received in repay-

ment of fraudulently obtained unemployment benefits credited to the administration account must be for deterring, detecting, or collecting overpayments.

### Mississippi

*Administration.* Group claims may be filed for a mass layoff from the same employer for the same period of unemployment. (The provision is deleted that provided for a short-term employment limitation of 4 weeks for at least 25 persons). The effective date of the claims will be determined by the Agency based on the first day of unemployment, provided the person files in the specified manner.

*Financing.* An employer's account will not be charged when an individual leaves an employer to accompany a spouse who is on active duty and has been reassigned from one military assignment to another.

*Nonmonetary Eligibility.* "Good cause" is defined as employment conditions or circumstances leading to a voluntary separation from employment that are such that an ordinary, prudent employee would leave. Claimant must explore alternatives to quitting and make reasonable efforts to preserve employment.

An exception to the disqualification for leaving employment for marital, filial, or domestic circumstances may be allowed if sufficient evidence shows that continuing in the employment would be a detriment to the welfare of the claimant or the claimant's underage dependents due to domestic violence. The language is removed that provided that good cause is shown if evidence demonstrates that continuing in the employment would present an identifiable, clear and present risk to the claimant's health, safety, or morals.

The definition of "good cause" is amended to include an individual who leaves an employer to accompany a spouse who is on active duty and has been reassigned from one military assignment to another.

*Overpayments.* Any person who receives an overpayment, fraud or nonfraud, will be liable for repayment of the benefits.

In determining fraud, the Agency will consider whether a person had willful intent to commit fraud or had knowledge of the omitted or misrepresented fact. Fraud may be implied or presumed. Inference based on circumstances may be overcome by the introduction of contrary evidence.

Penalties are established as follows for a period up to 52 weeks for overpayments received within the past 3-year period as a result of fraud:

- The first overpayment will result in a disqualification of 6 weeks for every week benefits were fraudulently received.
- The second or greater overpayment will result in a disqualification of 12 weeks for every week benefits were fraudulently received.
- The disqualification period will start no later than the week during which the initial determination is made.

### Missouri

*Administration.* The training program and compelling family reason provisions will not take effect and no benefits will be paid unless first certified by the U.S. Department of Labor under Federal law amended by the American Recovery and Reinvestment Act of 2009.

Both the training program and compelling family reason provisions will be subject to renewal in the second regular session and, if not renewed, must expire once the funds provided under the American Recovery and Reinvestment Act of 2009 are expended.

*Financing.* An updated provision removes the language providing that the unpaid principal amount of any outstanding credit instruments, combined with the unpaid principal amount of any financing agreement entered into, will not exceed \$450 million at any time. The provision removes all other language referring to the \$450 million limit on borrowing from credit instruments including interest.

The Director must separately track payments made under the training program and compelling family reason provisions. When payments exceed the amount of Federal incentive funds available because of the enactment of the training program and the compelling family reason provisions, the Unemployment Compensation Fund must be reimbursed from general revenue for all subsequent payments to the claimants.

An employer's account is not charged for benefits paid under the provisions regarding separation for a compelling family reason.

An employer's account is not charged for benefits paid under the special training program provision.

### Montana

*Administration.* Effective July 1, 2009, the Department must provide for the disclosure

of wage and other required information to authorized recipients and establish safeguards to ensure that any information disclosed is used only for the purposes outlined in Federal regulations. Fees may be charged for the costs of providing information. Fees must be deposited in the State Special Revenue Fund. The Department must adopt rules providing for confidentiality and disclosure of unemployment insurance information to appropriate persons and agencies consistent with Federal requirements. New requirements establish penalties for other State or local government employees or any other person for violating the confidentiality and disclosure requirements by imposing a fine of not less than \$20 or more than \$200 or imprisonment for not longer than 90 days or both.

*Appeals.* The Governor may appoint a substitute board member to the Board of Labor Appeals subject to the same qualifications and confirmation requirements to serve in place of any regular board member who is unable to attend a board meeting and therefore unable to participate in the proceedings and decisions of that board meeting.

*Financing.* Employers' accounts are not charged for payment of training benefits.

Effective July 1, 2009, State laws were amended to delete the language allowing money credited to the State's account in the Unemployment Trust Fund, including Reed Act money, to be withdrawn for the payment of unemployment insurance administration expenses and public employment offices.

Effective July 1, 2009, money withheld from benefits for repayment of child support obligations must be considered benefits.

Effective July 1, 2009, an employer who has not had covered employment or whose coverage has been terminated because of ceasing to do business for 5 consecutive years (previously 3 years) is considered a new employer and may not be credited with the employer's previous experience for the purpose of computing any future experience factor.

*Nonmonetary Eligibility.* Effective January 1, 2010, an individual is ineligible to receive benefits during an approved leave of absence. An individual is eligible to receive benefits when the individual returns to and offers service to his or her employer after returning from an approved leave of absence, and the individual's regular or comparable suitable work is not available, as determined by the Department, provided the individual is otherwise eligible.

Effective January 1, 2010, an individual who files for benefits during a disciplinary suspension is ineligible to receive benefits for 2 weeks or until the suspension ends, whichever occurs first. Ineligibility based upon a disciplinary suspension may be imposed for any week beginning after the second week of the suspension. If the individual remains suspended, the individual must be considered discharged for purposes of unemployment insurance. The Department must determine whether the discharge constitutes misconduct.

Effective January 1, 2010, an individual is considered totally unemployed in any week during which the individual worked less than the customary hours for the individual's particular occupation due to a lack of work, provided that the wages payable are less than two times the individual's weekly benefit amount. (Previously, an individual was considered totally unemployed in any week during which the individual performed less than full-time work in employment with wages for employment of less than two times the individual's weekly benefit amount.)

Effective January 1, 2010, eligible individuals are not allowed to place limitations on their availability for work that would constitute a withdrawal from the labor market.

Effective January 1, 2010, except as provided in the next paragraph, if an individual is unavailable for work for less than 3 days within a week for which work is available, the individual must be paid the weekly benefit amount reduced by one-fifth of that amount for each day or part of a day unavailable for work.

Effective January 1, 2010, if an individual is unavailable for work for 3 days or more, or part of each 3 days or more, within a week for which work is available, the individual must be considered unavailable for work for the entire week and is not eligible to receive benefits for the week.

Effective July 1, 2009, students attending an established educational institution may qualify for benefits if they satisfactorily demonstrate they meet the general eligibility conditions. Previously, students were disqualified for benefits during the school year (within the autumn, winter, and spring seasons of the year) or the vacation periods within the school year or during any prescribed school term if regularly attending an established educational institution.

*Overpayments.* Effective January 1, 2010, new requirements establish repayment methods for the Department to collect a benefit

overpayment and any penalty by the following:

- Having the claimant pay the amount owed directly to the Department by check, money order, credit card, debit card, or electronic funds transfer
- Offsetting the amount of the overpaid benefits owed against future unemployment benefits to be received by the claimant

The claimant is responsible for any penalty established and costs or processing fees associated with using the repayment methods (effective January 1, 2010).

The Department is allowed to enter into an agreement with a claimant for the repayment of any benefit overpayment and penalty, provided the repayment in full is made within 5 years of the date establishing that an overpayment occurred (effective January 1, 2010).

The Department is allowed to collect any benefit overpayment and penalty by directing the offset of any funds due the claimant from the State, except future unemployment benefits and retirement benefits. Through the Department of Revenue, the Department must provide the claimant with notice of the right to request a hearing on the offset action which must be made within 30 days of the date of the notice (effective January 1, 2010).

The debt can be transferred for offset prior to being determined uncollectible (effective January 1, 2010).

The Department is permitted to direct the offset of funds owed a person under 26 U.S.C. 6402, if the person owes a covered unemployment compensation debt (effective January 1, 2010).

State laws were amended to define the term "covered unemployment compensation debt" (effective January 1, 2010).

The Department is allowed to have a lien against all real property established if claimant fails to make payments. The Department may enforce within 10 years of creation of the lien (effective January 1, 2010).

The Department is allowed to waive the benefit overpayment if it is found that the overpayment was the result of departmental error (effective January 1, 2010).

## **Nebraska**

*Administration.* State laws were amended to clarify provisions governing the release of confidential unemployment insurance information.

State laws were amended to remove the provision requiring the State Advisory Council to be consulted, prior to transferring money in the State Unemployment Insurance Trust Fund to the State's account in the Unemployment Trust Fund, if and when the State unemployment insurance tax ceases to exist.

State law now provides for three additional allowable uses for funds in the Nebraska Training and Support Trust Fund:

- Recruitment of workers to Nebraska
- Training new employees of expanding Nebraska businesses
- Costs of creating a common Web portal to attract businesses and workers to Nebraska

State law is amended to modify the composition of the Nebraska Worker Training Board to no longer require the representative of employers to be a member of the State Advisory Council.

*Financing.* All employers with a payroll of \$100,000 (previously \$500,000) are required to file their tax returns and wage reports and pay their taxes or reimbursements owed using an electronic method approved by the Commissioner, beginning with calendar year 2010.

The provision is removed that allows the State Advisory Council to determine that a zero-percent tax rate is in the best interests of preserving the State's account in the Unemployment Trust Fund.

Employers with a positive experience account balance are prohibited from being assigned to Category 20.

Benefits attributable to a part-time base period employer are required to be non-charged when the part-time contributory employer continues to employ the individual to the same extent as during his or her base period, provided the employer files a timely notice of the exemption from charges.

Benefits in a combined wage claim are prohibited from being charged to an employer's experience rating account, unless the benefits would be chargeable under Nebraska law.

State laws were amended to shift the period of time when an acquisition will result in a new rate of contributions by one calendar quarter, from the 3-month period ending with the third quarter of the calendar year to the 3-month period ending with the second quarter of the calendar year.

*Overpayments.* A modified provision allows the agency to intercept Federal income tax refunds to repay fraudulent overpayments and

contribution delinquencies consistent with the requirements of Federal law and regulation.

## Nevada

*Coverage.* The definition of “agricultural employment” is amended to include services performed by an alien.

*Financing.* Money in the Employment Security Fund, in addition to existing required uses, must be used for the costs of any program or the implementation of procedures deemed necessary by the Administrator to ensure the proper payment of benefits and collection of contributions and reimbursements pursuant to law.

In addition to being used for training and job creation, the additional contribution of 0.05 percent assessed each year on employers is required to be used to provide grants of money to a nonprofit private entity to make loans of money to veterans and senior citizens to start small businesses.

*Overpayments.* Any administrative fee may be assessed as prescribed by any applicable agency of the United States regarding the recovery of benefit overpayments, to the extent allowed under Federal law.

A false statement or representation also includes, without limitation, failing to properly report earnings or filing a claim for benefits using the Social Security number, name, or other personal identifying information of another person. Any person violating any of these provisions commits unemployment insurance fraud.

When persons are found to have committed unemployment insurance fraud, they must repay, for deposit in the Unemployment Insurance Fund, a sum equal to all of the benefits received or paid for each week in which the false statement or representation was made or in which there was a failure to disclose a material fact. Any interest, penalties, and costs related to that sum will also have to be repaid.

Except as otherwise provided, persons are disqualified from receiving unemployment compensation benefits beginning with the first week claimed in violation and not more than 52 consecutive weeks after the week in which it is determined a claim was filed in violation or until the sum, in addition to any interest, penalties, or costs related to that sum is repaid, whichever is longer.

It is a violation for a person to file a claim or to cause or allow a claim to be filed on his or her behalf if the person is incarcerated in

the State prison or any county or city jail or detention facility or other correctional facility in Nevada, and the claim does not expressly disclose his incarceration.

A person obtaining benefits of \$250 or more as a result of committing unemployment insurance fraud will be punished in the same manner as theft under certain other provisions.

In addition to the repayment of benefits as required above, if the amount of benefits which must be repaid is greater than \$1,000, a penalty may be imposed equal to not more than the following:

- Twenty-five percent if the amount of such benefits is greater than \$1,000 but not greater than \$2,500
- Fifty percent of the total amount of benefits received by the person in violation of this provision or any other provision of the law if the amount of such benefits is greater than \$2,500

Except as otherwise waived as provided below, a person may not repay benefits as required above by using benefits which would otherwise be due and payable to the person if he or she was not disqualified.

The period of disqualification mentioned above may be waived for good cause shown or if the person adheres to an authorized repayment schedule that is designed to fully repay benefits received from an improper claim, in addition to any related interest, penalties, and costs, within 18 months. If the period of disqualification is waived under this paragraph, the individual may repay benefits as required above by using any benefits which are due and payable to the person. Benefits which are due and payable to the individual may not be used to repay any related interest, penalties, and costs.

The Administrator may recover any money required to be paid under the above provisions in accordance with certain other provisions and may collect interest on any such money in accordance with certain other provisions.

Except as otherwise provided in certain other provisions, an individual who makes a false statement or representation knowing it to be false or knowingly fails to disclose a material fact to obtain or increase any benefit or other payment under the law, either for their own benefit or for the benefit of any other person, is guilty of a misdemeanor.

Except as otherwise provided in certain other provisions, when two or more individuals conspire to obtain or increase any benefit or other payment under the law by a false state-

ment or representation knowing it to be false, or by knowingly failing to disclose a material fact, or whenever any person makes a series of false statements or representations knowing them to be false, to obtain or increase benefit payments under the law over a period of more than 1 week, every such person is guilty of a gross misdemeanor.

Except as otherwise provided in certain other provisions, any person residing in Nevada who claims benefits under any agreement existing between the Division and some other State or the Federal Government, who willfully makes a false statement or representation or knowingly fails to disclose a material fact to obtain or increase benefits under the provisions of the unemployment law of any other State or the Federal Government is guilty of a misdemeanor.

## New Hampshire

*Extensions and Special Programs.* Individuals must have insured wages exceeding 40 times their most recent weekly benefit amount in their base period to qualify for extended benefits.

The extended benefits provisions are modified to add the optional extended benefits “off” indicator based on the seasonally adjusted total unemployment rate which requires extended benefits to trigger off when the average total unemployment rate for the most recent 3 months is less than 6.5 percent or 110 percent of the rate for the corresponding 3-month period in either or both of the 2 previous years.

*Financing.* State laws were amended to provide for the noncharging of benefits paid to individuals whose separation from employment is because they are unable to perform some or all of their job duties due to pregnancy or illness or injury that is not related to work, provided that a physician has attested to the individuals’ inability to perform their work duties.

It is unnecessary to appropriate the State’s share of the \$500 million of the 2009 special administrative distribution made under the American Recovery and Reinvestment Act.

An employer’s account is not charged for benefits paid to an individual whose separation from employment is because the individual is unable to perform some or all of his or her job duties due to pregnancy, or illness or injury that is not work-related, provided that a physician has attested to the individual’s in-

ability to perform his or her work duties, effective January 1, 2010.

The taxable wage base increases are as follows:

- \$10,000 (previously \$8,000), effective January 1, 2010
- \$12,000, effective January 1, 2011
- \$14,000, effective January 1, 2012

A 0.5 percent emergency surcharge is assessed when the trust fund fails to equal or exceed \$150 million.

A deduction will occur in any calendar quarter from every employer's contribution rate, based on the trust fund balance, throughout the next preceding calendar quarter:

- When the fund equals or exceeds \$250 million, the deduction will be 0.5 percent.
- When the fund equals or exceeds \$275 million, the deduction will be 1.0 percent.
- When the fund equals or exceeds \$300 million, the deduction will be 1.5 percent.

The minimum contribution rate will not be less than 0.10 percent.

An inverse minimum rate is established to adjust certain employer's contribution rates when the preceding calendar quarter trust fund balance falls below certain levels:

- When the fund fails to equal or exceed \$250 million, the rate will be 1.5 percent.
- When the fund fails to equal or exceed \$275 million, the rate will be 1.0 percent.
- When the fund fails to equal or exceed \$300 million, the rate will be 0.5 percent.

A new rate schedule is added to determine employer contributions and increases the contribution rate for employers in Schedule I.

*Monetary Entitlement.* A waiting week is added, with no reduction in the individual's maximum benefit amount, for benefit years commencing on or after January 3, 2010.

*Nonmonetary Eligibility.* The part-time and shift availability rules are amended to do the following:

- Define that "based on wages earned in part-time work" means some portion of the individual's annual earnings was for employment of less than 37.5 hours a week

- Provide that individuals wishing to be exempt from applying for or accepting full-time or part-time work during the hours of a particular shift must provide certain information about their reasons, including information about any children for which the individuals are the only adult available to provide care
- Require individuals not available for full-time work to inform the Department whether during the base period some portion of the annual earnings was for employment of less than 37.5 hours a week; previously, individuals had to inform the Department of their usual work schedule for the weeks they performed services during the 26-week period
- Provide that an adult other than the individual claiming benefits must be considered "available" if it is determined that the adult is a suitable person to provide care for any dependents
- Provide the criteria for considering if the other adult is a suitable person to care for dependents

The language is deleted that defined the meaning of "the individual's last 6 months in employment" and "throughout such 6-month period."

*Overpayments.* A person who received an overpayment in benefits without fault in causing the benefit overpayment is not liable to repay the benefits. (Previously, the law provided that a person was not liable to repay benefit overpayments if it was received solely through error or inadvertence.)

### **New Jersey**

*Extensions and Special Programs.* State law was amended to repeal the 2-percent "off-trigger" provision for the program, providing up to 26 weeks of additional unemployment insurance benefits during training for laid-off displaced workers. (Previously, the additional unemployment insurance benefits during training provision provided an "off trigger" to reject any new applications for additional unemployment insurance during training whenever the total amount of such payments exceeded 2 percent of the cumulative annual balance of the Unemployment Insurance Fund.)

*Financing.* State law has eliminated the noncharging provision that provided that if the total amount of benefits paid to a claimant

and charged to the account of the appropriate employer exceeds 50 percent of the total base year-base week wages paid to the claimant by that employer, then such employer will have such excess benefit charges canceled from his or her account.

### **New Mexico**

*Administration.* The Workforce Solutions Department is requested to collaborate with the Human Services Department to leverage State assets and negotiate the best terms possible for electronic debit and benefit card contracts so that recipients of unemployment compensation pay reduced fees or no fees for using electronic benefit transfer or prepaid debit cards.

*Monetary Entitlement.* The calculation of the weekly benefit amount is temporarily changed from 53.5 percent to 60 percent of the average weekly wage in the base period quarter in which total wages were highest, applicable from July 1, 2009, through June 30, 2011. The weekly benefit amount may not be less than 10 percent or more than 60 percent of the State's average weekly wage for all insured work.

### **New York**

*Extensions and Special Programs.* The expiration date of the Self-Employment Assistance Program is extended from December 7, 2009, to December 7, 2011, at which time it is repealed.

State laws were amended to change the extended benefits earnings and employment requirements in the base period to monetarily qualify from 20 weeks of full-time employment or remuneration which equals or exceeds 40 times the most recent benefit rate to remuneration of 1.5 times the high calendar quarter earnings.

An individual's eligibility period will include any alternative eligibility period provided for in Federal law.

Extended benefits not reimbursed by the Federal Government must be fully financed (100 percent) by the Indian tribe.

*Nonmonetary Eligibility.* Except as otherwise provided, claimants will not be disqualified for a failure to accept an offer of suitable work or to apply for suitable work if they are in an approved training program, applicable to regular and extended benefits provisions.

The language is deleted that disqualified a claimant for 12 months for committing a felony until subsequently employed on not less than 3 days in each of 4 weeks or earned

remuneration of at least \$200 whether during or subsequent to the 12-month period. State law replaces the deleted language with the disqualification provision regarding criminal acts in which a claimant is disqualified for 12 months provided he or she is convicted or signed a statement admitting to the criminal act.

### North Carolina

*Financing.* Benefits paid to a claimant who leaves work to accompany their spouse shall not be charged to the employer.

*Nonmonetary Eligibility.* The definition of “discharge for misconduct with the work” excludes a discharge or employer-initiated separation of a severely disabled veteran for acts or omissions of the veteran that are determined attributable to a disability incurred or aggravated in the line of duty during active military service or attributable to the veteran’s absence from work to obtain care and treatment of a disability incurred or aggravated in the line of duty during active military service. Such discharge or separation will not disqualify the veteran from receiving benefits under the substantial fault provisions for any period of time. The term “severely disabled veteran” is defined.

### North Dakota

*Administration.* The Agency must respond to a written request by a staffing service to allow the staffing service to use its own unemployment insurance tax rate instead of the unemployment insurance tax rate of the client company, if the difference in the tax rate between the staffing service and client company reduces the taxes, and the reduction exceeds \$500 within 15 days of receiving all required information. The Agency must send notices of tax rate determinations annually to the staffing service.

Any report relating to the Federal Unemployment Tax Act that is required to be submitted to the Federal Internal Revenue Service regarding a staffing service must be submitted with the employer identification number of the staffing service.

*Financing.* The following employers’ calculations of unemployment compensation contribution rates must be rounded to the nearest one-hundredth of 1 percent:

- New employers assigned a rate that is 90 percent of the positive employer maximum rate or a rate of 1 percent, whichever is greater, unless classified in construction services

- Employers assigned rates according to the positive employer rate group schedule or the negative employer rate group schedule

*Nonmonetary Eligibility.* Individuals receiving unemployment benefits are required to continue to complete all assigned services and report to a local office as required to be eligible for benefits.

### Oregon

*Appeals.* Among other things, the administrative law judge at a hearing may address issues raised by evidence in the record including continued claims filed subsequent to issuance of a decision.

Any party may file a request to reopen the hearing following the issuance of a written decision by an administrative law judge whose decision whether or not to grant the request to reopen the hearing must be in writing and mailed to the parties. This judge may reopen the hearing for any of the following reasons:

- The party requesting the reopening failed to appear at the hearing.
- The party files the request within 20 days of issuance of the written decision.
- The cause of the failure to appear was beyond the control of the requesting party.

*Coverage.* The provision is eliminated that required an organization or person engaging a musician to be considered an employer except when services are performed pursuant to a written contract.

The effective date of the election to exclude corporate officers and directors who are family members from coverage is changed *from* the first day of the calendar quarter in which the request was submitted *to* the first day of the current calendar quarter or the first day of the calendar quarter preceding the calendar quarter in which the request was submitted (applicable to elections of coverage by corporations occurring on or after January 1, 2010).

*Extensions and Special Programs.* State law increases shared work benefits to a maximum of 52 weeks. (Previously, it was a maximum of 26 weeks.)

For the period February 22, 2009, through December 26, 2009, “eligibility period” is defined as the weeks in the benefit year that begin in an extended benefit period and any subsequent weeks that begin in the extended benefit period or any week that begins after an individual exhausts all rights to Emergency

Unemployment Compensation during an extended benefit period.

Effective December 27, 2009, through May 29, 2010, “eligibility period” is defined as the weeks in the benefit year that begin in an extended benefit period and any subsequent weeks that begin in the extended benefit period. If the individual received extended benefits during the period from February 22, 2009, through December 26, 2009, “eligibility period” is defined as any week that begins after the individual exhausts Emergency Unemployment Compensation in the extended benefit period.

Effective May 30, 2010, “eligibility period” is defined as the weeks in an individual’s benefit year that begin in an extended benefit period, and if the benefit year ends within the extended benefit period, it is defined as any subsequent weeks that begin in the extended benefit period. (This provision removes the amendments above made to the eligibility period.)

The definition of “eligible dislocated workers” has been amended to include workers who have separated from a declining industry or who have been involuntarily and indefinitely separated from employment as a result of a permanent reduction of operations at their place of employment.

*Financing.* If an employer defaults on any required payment due to the Unemployment Compensation Trust Fund, a person who is an officer or employee of a corporation, a member or employee of a limited liability company, or a partner in or employee of a limited liability partnership is personally liable for such amounts due. A notice of assessment must be issued to the liable person, and if that liable person is insolvent, a jeopardy assessment may be issued. Amounts assessed may be reviewed in the manner provided in the unemployment compensation law.

*Nonmonetary Eligibility.* An individual will not be disqualified from receiving benefits due to separation from employment and will not be considered unavailable for failure to apply for or accept suitable work if the individual or a member of the individual’s immediate family is a victim of stalking or sexual assault, or if the individual believes they or a member of their immediate family could become a victim of stalking or sexual assault as a result of continued employment or acceptance of work. The provision has been removed that requires the individual to pursue reasonable available



alternatives to leaving work, or failure to apply for or accept suitable work when offered.

### Rhode Island

*Financing.* The appropriated \$1.5 million Reed Act funds may be used for the administration of the Unemployment Insurance Program and public employment services offices.

The Governor may make an interfund transfer from the Temporary Disability Insurance Fund to the Employment Security Fund for the payment of unemployment compensation benefits under specified circumstances.

### Tennessee

*Administration.* The Commission of Labor and Workforce Development is required to submit a report to the General Assembly concerning the condition of the Unemployment Trust Fund during the first week of January and the first week of July of each year.

*Appeals.* Nonresident parties to an appeal may petition to obtain judicial review of decisions by filing in the chancery court of the county where the employer is located, except that any petition for judicial review of tax liabilities must be filed in Davidson County.

*Financing.* A flexible taxable wage base is established based on the balance in the State's Unemployment Trust Fund on June 30 and December 31 of each year as follows:

- When the balance is greater than \$1,000,000,000, the wage base will be \$7,000.
- When the balance is greater than \$900,000,000, but less than or equal to \$1,000,000,000, the wage base will be \$8,000.
- When the balance is less than or equal to \$900,000,000, the wage base will be \$9,000.

The Premium Rate Chart is revised by removing table 6b; table 6a of the previously enacted chart then becomes table 6. However, under the new table 6, if the reserve ratio percent is 20 and over, then the premium amount is 0.01 instead of 0.00.

- Most favorable table—trust fund balance of \$850,000,000 or more with minimum rate of 0.01 percent and a maximum rate of 10.0 percent.
- Least favorable table—trust fund balance of less than \$450,000,000 with a

minimum rate of 0.50 percent and a maximum rate of 10.0 percent.

An additional premium of 0.6 percent on all rates is imposed in tables 1, 2, and 3, until the Unemployment Trust Fund balance equals or exceeds \$650,000,000.

The provisions regarding the Tennessee job skills fee is removed.

### Texas

*Extensions and Special Programs.* The definition of "normal weekly hours of work" under the Shared Work Unemployment Compensation Program is amended to mean the number of hours in a week that an employee ordinarily works for a participating employer or an average of 40 hours per week over a 2-week pay period, whichever is less. (Previously, "normal weekly hours of work" meant the number of hours in a week ordinarily worked for a participating employer or 40 hours.)

The Governor, by executive order, is permitted to suspend the waiting period requirement if an individual is unemployed as a direct result of a natural disaster, is otherwise eligible for unemployment compensation benefits, and is not receiving disaster unemployment assistance for the period included in that waiting period.

### Utah

*Nonmonetary Eligibility.* If a claimant is disqualified from receiving unemployment benefits because he or she was discharged for a crime in connection with work, the claim will be established for 52 weeks and cannot be canceled.

### Vermont

*Administration.* New requirements establish an Unemployment Trust Fund reform study committee to study reform of the Unemployment Trust Fund.

*Coverage.* Administration and transportation agencies are required to establish procedures to minimize misclassification of workers as independent contractors and to require specific information from State contractors on all projects costing more than \$250,000,000. Information will be shared with the Department of Labor.

*Financing.* The taxable wage base increases from \$8,000 to \$10,000 from January 1, 2010, through December 31, 2010.

*Monetary Entitlement.* The maximum weekly benefit amount is \$425 from July 1, 2009, through June 30, 2010.

### Virginia

*Financing.* The State noncharges employers' accounts for benefits paid to an individual who leaves employment to accompany his or her spouse to the location of the spouse's new duty assignment under the following criteria:

- The spouse is on active duty in the military or naval services of the United States.
- The spouse's relocation to a new military-related assignment is pursuant to a permanent change of station order.
- The location of the spouse's new duty assignment is not readily accessible from the individual's place of employment.
- The spouse's new duty assignment is located in a State that, pursuant to statute, does not deem a person accompanying a military spouse as a person leaving work voluntarily without good cause.

*Nonmonetary Eligibility.* If an individual leaves employment to accompany his or her spouse to the location of the spouse's new duty assignment, State law provides that the following reasons are good cause for voluntarily leaving:

- The spouse is on active duty in the military or naval services of the United States.
- The spouse's relocation to a new military-related assignment is pursuant to a permanent change of station order.
- The location of the spouse's new duty assignment is not readily accessible from the individual's place of employment.
- Except for members of the Virginia National Guard relocating to a new assignment within the Commonwealth, the spouse's new duty assignment is located in a State that, pursuant to statute, does not deem a person accompanying a military spouse as a person leaving work voluntarily without good cause.

### Washington

*Extensions and Special Programs.* Subject to the availability of funds through March 1, 2011, appropriated State funds will be distributed to match Federal funds that provide specifically for the education and training of eligible individuals in high demand occupations. The education and training of eligible individuals in occupations in the aerospace, energy efficiency, forest product, and health

care industries will be given priority if consistent with Federal law. This provision expires July 1, 2011.

For an individual who is eligible for emergency unemployment compensation during the extended benefit period beginning February 15, 2009, the term “eligibility period” means the period consisting of the week ending February 28, 2009, through the week ending May 29, 2010.

The requirement is deleted that provided that the Shared Work Program plan apply to at least 10 percent of the employees in the affected unit and that an individual may not be paid shared work benefits for more than 26 weeks in any 12-month period.

The Training Benefits Program, applicable to claims effective on or after September 7, 2009, is expanded to the following individuals:

- Those whose average hourly wage in the base year is less than 130 percent of the State minimum wage and meets other criteria
- Those who served in the U.S. Military or the Washington National Guard during the 12-month period prior to the application and meet other criteria
- Those who are currently serving in the Washington National Guard and meet other criteria
- Those who are disabled due to an injury or illness and meet other criteria

The total training benefit amount is 52 times the individual’s weekly benefit amount, reduced by the total amount of regular benefits and extended benefits paid or deemed paid.

The weekly benefit amount is the same as the regular weekly amount payable.

Training benefits are not payable for weeks more than 2 years beyond the end of the benefit year of the regular claim.

*Financing.* An account is created in the Administrative Contingency Fund for financing the administrative costs associated with funds provided specifically for the education and training of eligible individuals in high demand occupations.

The following benefits paid will not be charged to the experience rating account of any contribution paying employer:

- The \$45 increase paid as part of the individual’s weekly benefit amount

- The training benefits paid under the new training benefits program
- The increased difference between the minimum weekly benefit amount of \$155 and the weekly benefit amount of \$129

To calculate the flat social cost factor for rate years 2010 and 2011, the \$45 increase paid as part of the individual’s weekly benefit amount will not be considered for purposes of calculating the total unemployment benefits paid to claimants in the 4 consecutive calendar quarters immediately preceding the computation date.

Relief of charges is permitted if they result from payment to an individual who was hired to replace an employee who is a member of the military reserves or National Guard when called to active duty and was subsequently laid off when that employee is reemployed upon release from active duty.

Unemployment insurance benefit payments are charged to the experience rating accounts of employers in the same amount that benefits are paid out.

The Standard Industrial Classification Manual is no longer used for assigning employers to industrial classifications.

For contributions assessed in rate year 2010 and thereafter, the minimum flat social cost factor must be 0.6 percent, except when the balance in the unemployment compensation fund is at least one of the following:

- Ten months of benefits but less than 11 months, the minimum will be 0.5 percent
- Eleven months of benefits but less than 12 months, the minimum will be 0.45 percent
- Twelve months of benefits but less than 13 months, the minimum will be 0.4 percent
- Thirteen months of benefits but less than 15 months, the minimum will be 0.35 percent
- Fifteen months of benefits but less than 17 months, the minimum will be 0.25 percent
- Seventeen months of benefits but less than 18 months, the minimum will be 0.15 percent
- Eighteen months of benefits, the minimum must be 0.15 percent through rate year 2011, and the minimum will be 0.0 percent in rate years 2012 and beyond

Previously, the exceptions included at least the following:

- Twelve months but less than 14 months, the minimum will be 0.5 percent
- Fourteen months of unemployment benefits, the minimum will be 0.5 percent (except that, for employers in rate class 1, the minimum will be 0.45 percent)

For contributions assessed in rate year 2010 and thereafter, the sum of an employer’s array calculation factor rate and the graduated social cost factor rate may not exceed 6 percent (was 6.5) for employers whose NAICS (North American Industry Classification System) code is within 111, 112, 1141, 115, 3114, 3117, 42448, or 49312 may not exceed 5.4 percent (was 5.7) for the graduated social cost factor rate for each employer in the array.

*Monetary Entitlement.* There is a State temporary benefit increase of \$45 from May 3, 2009, to January 2, 2010.

Temporarily, from May 3, 2009, to January 2, 2010, the minimum weekly benefit amount is increased from \$129 to \$155, and the maximum weekly benefit amount is increased from \$541 to \$586.

Obsolete provisions are removed regarding the calculation of the weekly benefit amount, the duration of benefits, and the maximum amount payable weekly, as well as provisions concerning the State unemployment rate when it is 6.8 percent or less.

The Training Benefits Program is expanded to include dislocated workers, applicable to claims effective on or after April 5, 2009. These training benefits are available subject to availability of funds.

*Nonmonetary Eligibility.* With respect to separations that occur on or after September 6, 2009, an individual has good cause and is not disqualified from benefits for the following reasons:

- The individual leaves work to accept a bona fide offer of bona fide work.
- The separation was necessary because of the illness or disability of the claimant or the death, illness, or disability of a member of the claimant’s immediate family if the claimant meets the following criteria:
  - The claimant pursued all reasonable alternatives to preserve his or her employment status by requesting a leave of absence, by having promptly notified the employer of the rea-

son for the absence, and by having promptly requested reemployment when again able to assume employment. These alternatives need not be pursued, however, when they would have been a futile act, including those instances when the futility of the act was a result of a recognized labor/management dispatch system.

- The claimant terminated his or her employment status, and is not entitled to be reinstated to the same position or a comparable or similar position.
- The claimant left work to relocate for the employment of a spouse or domestic partner that is outside the existing labor market area and the claimant remained employed as long as was reasonable prior to the move. (Previously, the law provided for the claimant to leave work to relocate for the spouse's employment that, due to a mandatory military transfer, is outside the existing labor market area.)
- The separation was necessary to protect the claimant or the claimant's immediate family members from domestic violence or stalking.
- The individual's usual compensation was reduced by 25 percent or more.
- The individual's usual hours were reduced by 25 percent or more.
- The individual's worksite changed, such change caused a material increase in distance or difficulty of travel, and, after the change, the commute was greater than is customary for workers in the individual's job classification and labor market.
- The individual's worksite safety deteriorated, and the individual reported such safety deterioration to the employer, but the employer failed to correct the hazards within a reasonable period of time.
- The individual left work because of illegal activities at the individual's worksite, and the individual reported such activities to the employer, but the employer failed to end such activities within a reasonable period of time.
- The individual's usual work was changed to work that violates the individual's religious convictions or sincere moral beliefs.

- The individual left work to enter an apprenticeship program approved by the Washington State apprenticeship training council. Benefits are payable beginning Sunday of the week prior to the week in which the individual begins active participation in the apprenticeship program.

### West Virginia

*Administration.* The Executive Director must establish an employer violator system to identify individuals and employers who are in default to the fund.

*Financing.* "Average annual wage" is defined as the State's average annual wage, which is computed on or before September 30 of the year immediately preceding the rate year, and is the total remuneration paid by employers as reported on contribution reports on or before that date with respect to all employment during the 4 consecutive calendar quarters ending on June 30 of that year divided by the average monthly number of individuals performing services in employment during the same 4 calendar quarters as reported on the contribution reports.

"Threshold wage" (also referred to as the "taxable wage base") is defined as the wage amount the employer pays unemployment taxes on for each person in his or her employ during a calendar year. Effective May 11, 2009, State law increases the threshold wage from \$8,000 to \$12,000, provided that when the moneys in the unemployment fund reach \$220 million on February 15 of any year, the taxable wage base thereafter will be reduced to \$9,000, provided, however, that each year thereafter the taxable wage base will increase or decrease by the same percentage that the State's average wage increases or decreases.

*Monetary Entitlement.* Individuals may elect to voluntarily have State income taxes withheld and deducted from their payment of unemployment compensation at the appropriate State withholding rate, effective for payments made on and after January 1, 2010.

The Commissioner must not increase or decrease the maximum weekly benefit rate for the period beginning on May 11, 2009, until the taxable wage base is reduced to \$9,000, as required in unemployment insurance law.

*Nonmonetary Eligibility.* Individuals will not be deemed to have left recent work voluntarily without good cause involving fault on the part of the employer if compelled to leave for health-related reasons and if that individual

notifies the employer prior to leaving the job or within 2 business days after leaving the job or as soon as practicable and presents written certification from a licensed physician within 30 days of leaving the job that their work aggravated, worsened, or will worsen the individual's health problem. (Previously, this provision did not require notifying the employer prior to leaving the job or within 2 business days after leaving the job or as soon as practicable, and it did not require that the certification be in writing and submitted within 30 days of leaving the job.)

An individual disqualified for misconduct will now be disqualified for gross misconduct. The disqualification provision for being discharged for gross misconduct now includes reporting to work under the influence of any controlled substance without a valid prescription, as defined in the unemployment insurance law, or being under the influence of any controlled substance as defined in the unemployment law without a valid prescription, while at work; adulterating or otherwise manipulating a sample or specimen in order to thwart a drug or alcohol test lawfully required of an employee; and refusal to submit to random testing for alcohol or illegal controlled substances for employees in safety sensitive positions as defined in the unemployment insurance law.

An individual will be disqualified for benefits for accepting an early retirement incentive package, unless he or she establishes a well-grounded fear of imminent layoff supported by definitive objective facts involving fault on the part of the employer and establishes that he or she would suffer a substantial loss by not accepting the early retirement incentive package.

### Wisconsin

*Financing.* The following cost of benefits paid that are otherwise chargeable to the account of a contributing employer will be charged to the fund's balancing account:

- Approved training, effective August 19, 2009
- Voluntary quit to accompany spouse, effective May 18, 2009
- Voluntary quit due to illness or disability, effective May 18, 2009
- Separating for domestic abuse, effective May 18, 2009

*Nonmonetary Eligibility.* The voluntary termination of work provision is modified to in-

clude that employees will not be disqualified from receiving benefits due to voluntary separation if the employees terminated their work because of the verified illness or disability of a member of his or her immediate family, and the verified illness or disability reasonably necessitates the care of the family member for a period of time that is longer than the employer is willing to grant leave (effective and applicable with respect to terminations of unemployment beginning May 18, 2009).

Exceptions to the 2,080 hours per year requirement to be a full-time employee may be granted, but requiring work less than 37.5 hours per week does not meet the definition of a full-time employee.

The definition of “domestic abuse” is modified to include physical abuse or a threat of physical abuse by an adult person against an unrelated adult person with whom the person has had a personal relationship.

To be eligible for terminating employment due to domestic abuse or concerns about personal safety or harassment, individuals must provide a protective order relating to the domestic abuse or concerns about personal safety or harassment issued by a court of competent jurisdiction, a report by a law enforcement agency documenting the domestic abuse or concerns, or evidence of the domestic abuse or concerns provided by a healthcare professional or an employee of a domestic violence shelter. (Previously, individuals prior to termination had to obtain a temporary restraining order or an injunction or had a foreign protection order.) Also, the provision providing that the individual demonstrate that the order has been or is reasonably likely to be violated is repealed (effective and applicable with respect to terminations of unemployment beginning May 18, 2009).

## Wyoming

*Financing.* Employers’ accounts are not charged for benefits paid to military spouses who relocate due to the transfer of a member of the U.S. Armed Forces whose relocation is the result of certain assignments; State law also ensures that the benefits will not affect employers’ experience rating account.

*Nonmonetary Eligibility.* Military spouses are not disqualified from benefits as a result of a relocation due to the transfer of a member of the U.S. Armed Forces whose relocation is the result of certain assignments, and it is impractical to commute to the place of employment, and upon arrival at the new residence, the military spouse is able and available for suitable work, and registers for work with the appropriate agency where residing.

The above provisions regarding military spouses are repealed effective July 1, 2018. □

## Crash and reboot: Silicon Valley high-tech employment and wages, 2000–08

*On the whole, high-tech industries in Silicon Valley declined sharply in employment and wages from 2000 to 2004 but increased gradually in both respects from 2004 to 2008; though the industry mix changed during the 8-year period, Silicon Valley remains the world's leading high-tech hub*

Amar Mann  
and  
Tian Luo

Silicon Valley is the largest and most influential high-tech center in the world and leads all other metropolitan regions in the United States in the breadth and scope of economic activity it creates through technological innovation.<sup>1</sup> Since the 1960s, when technology firms that were engaged in semiconductor manufacturing, computer design, and computer programming and services began to symbiotically cluster in the southern portion of the San Francisco Bay Area, Silicon Valley has become the most famous high-tech industrial cluster in the world. The network of people, firms, universities and research institutions, and government agencies has provided an ideal habitat for high-tech firms to be born and to grow; the products of these high-tech firms have improved business processes and models, generated economic growth, and improved standards of living around the globe.<sup>2</sup>

This article examines trends in Silicon Valley high-tech employment and wages during the 2000-to-2008 period, which encompasses the peak of the dot-com era, the ensuing dot-com bust, and a resurgence of high tech. It also discusses the factors affecting the decline and growth of specific Silicon Valley high-tech industries, such as increased global and domestic competition and higher demand from health-care indus-

tries. Next, the analysis examines trends in high-tech wage distribution and generation. The performance of high-tech industries in Silicon Valley is compared with the performance of those in the rest of the Nation. Finally, the analysis assesses the extent to which the clustering or geographic concentration of Silicon Valley high-tech industries has increased or decreased over the 8 years since the peak of high-tech industry performance.

The word “silicon” in the term “Silicon Valley” refers to the key ingredient of semiconductors, which formed the technical basis for the computer-based high-technology economic climate that appeared and grew in strength in and around San Jose, California, in Santa Clara County. This area attracted venture capitalists, computer technologists, and entrepreneurs, resulting in a regional agglomeration of high-tech industries that spread into neighboring Bay Area counties (specifically, Alameda, Contra Costa, San Francisco, San Mateo, and Santa Cruz). These industries have made Silicon Valley synonymous with dynamic, technology-driven growth and created a large and diverse base of high-paying jobs across the region. (See map 1.) Silicon Valley continues to be at the cutting edge of innovation. According to the U.S. Patent and

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**MAP 1. Distribution of high-tech employment in Silicon Valley, by county, 2008**



stock prices and in entire stock markets, such as the NASDAQ, on which many high-tech corporations are listed, and created the “dot-com bubble.”<sup>5</sup> On March 10, 2000, the NASDAQ reached a peak of 5,132.52. As the enormous gap between valuation and performance became apparent, Internet stocks collapsed, with Silicon Valley at ground zero of the crash.<sup>6</sup> By December 2000, the NASDAQ had dropped by more than 50 percent and stood below 2,500. After the dot-com bubble burst, Silicon Valley underwent a transformation. Reeling from massive hits to market capitalizations, many high-tech firms trimmed jobs or went out of business entirely. Others left the area and set up offices in less expensive locales.<sup>7</sup>

From 2000, when high-tech employment and wages peaked, to 2008, Silicon Valley’s high-tech industries lost more than 108,400 jobs, or 19.9 percent of their employment.<sup>8</sup> High-tech industries in the rest of the Nation lost 6.2 percent of employment. In addition, real wages fell by 13.5 percent among Silicon Valley’s high-tech industries, while high-tech wages grew by 1.3 percent in the rest of the Nation. The loss in employment and

Trademark Office, in 2008, 11 of the 20 U.S. cities with the most registered patents were in Silicon Valley.<sup>3</sup>

From the mid-1990s to 2000, Silicon Valley’s new Internet sector, along with its related high-tech industries, rapidly grew, due in large part to widely available venture capital. The amount of venture capital pumped into Silicon Valley between 1995 and 2000 was about \$65 billion, nearly one-third of total national venture capital investment during the period. The capital that came into Silicon Valley created a new wave of growth there.<sup>4</sup> Approximately 172,000 high-tech jobs were created during this 5-year period. The infusion of venture capital and speculation in stocks led to huge runups in individual

real wages in Silicon Valley, however, was not the result of a continuous decline. The 2000-to-2008 period is marked by two distinct phases. During the first phase—2000 to 2004, a period during which the crash of dot-com stocks occurred—real wages and high-tech employment declined precipitously. The decline in high-tech employment lasted for 4 consecutive years and erased nearly a decade of growth. High-tech employment declined in the rest of the Nation as well, but losses were more acute in Silicon Valley, where jobs disappeared at a faster rate. During the next phase, 2004 to 2008, most of Silicon Valley’s high-tech industries “rebooted” and experienced a modest expansion in employment and wages. Manufacturing indus-

tries, which had been decimated following the dot-com crash, saw employment levels finally stabilize; however, Silicon Valley high-tech employment did not recover to the peak level reached in 2000. (See chart 1.)

Using employment and wage data drawn from the database of the Bureau of Labor Statistics' Quarterly Census of Employment and Wages program, this article examines employment and wage trends in the Silicon Valley high-tech sector from 2000 to 2008, dividing the data into the two periods mentioned earlier. Average annual employment data are computed, and average annual wages are calculated by dividing total annual wages by employment. Real wages are used throughout the wage analysis and benchmarked to 2000 dollars by deflating nominal wages with the San Francisco-San Jose-Oakland average Consumer Price Index. The periods covered include the recession beginning in March of 2001 and ending in November 2001, as well as some of the most recent recession, which started in December 2007.

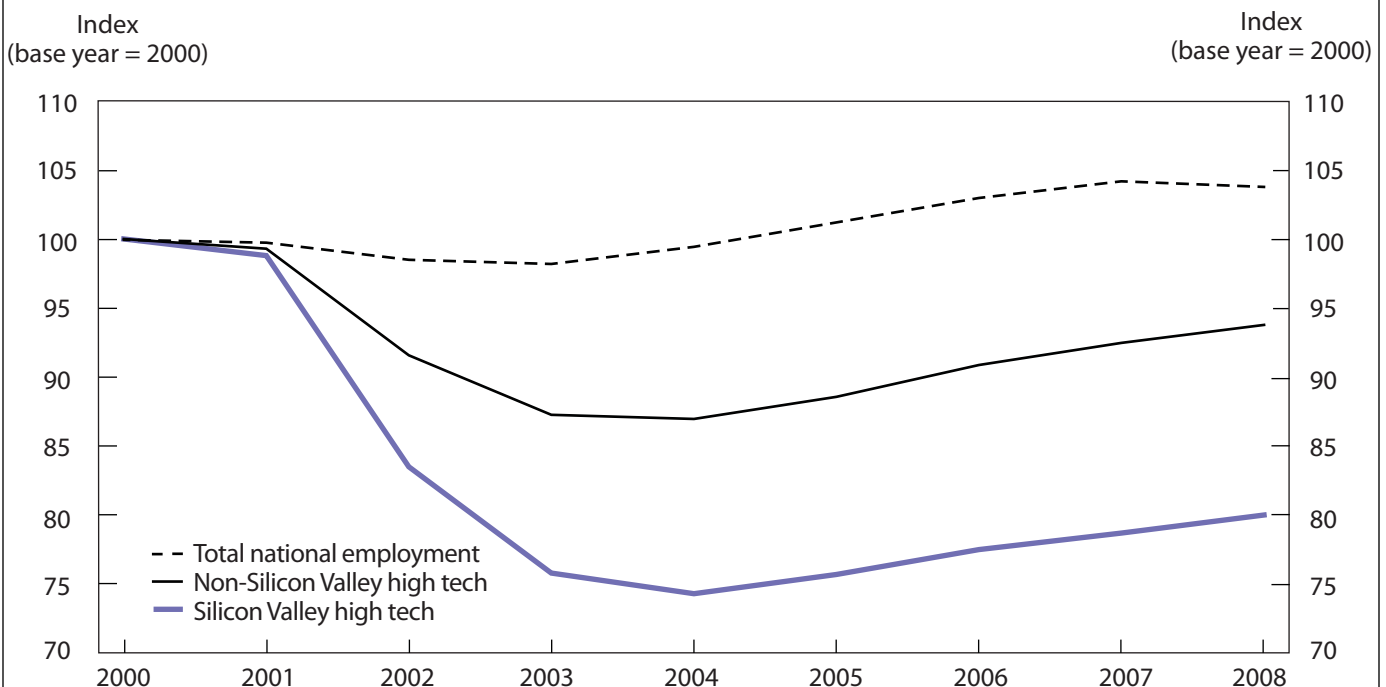
For this article, 11 "industries" have been identified as "high tech" through the use of the 2007 North American Industry Classification System (NAICS)<sup>9</sup> codes. (The word "industry" is used in a general sense here, because the industries that were analyzed vary with regard to the

number of digits they are assigned under NAICS.) An industry is considered high tech if "technology-oriented workers" within the industry, as identified by occupational staffing patterns, account for 25 percent or more of total jobs within the selected industry.<sup>10</sup> Because of revisions made to some of the NAICS codes for the 2007 version of NAICS, employees in the three subsectors of Internet services, telecommunications, and data processing, hosting, and related services have been aggregated under one industrial classification for this article. The employment and wage data reported in this article cover all sectors of the economy, sectors which comprise Federal, State, and local governments, and private organizations. Statistics on total wages generated are in nominal dollars, and statistics on average annual wages are indexed to the year 2000.

### After the dot-com crash: 2000–04

*Silicon Valley high-tech employment.* Following the crash of dot-com stocks in 2000, Silicon Valley's landscape of technology and its economic future were drastically altered. Despite such a massive hit to the market capitalizations and financial projections of high-tech firms, employment in Silicon Valley was stalwart through the

**Chart 1. Index of Silicon Valley high-tech employment, non-Silicon Valley high-tech employment, and total national employment, 2000–08**



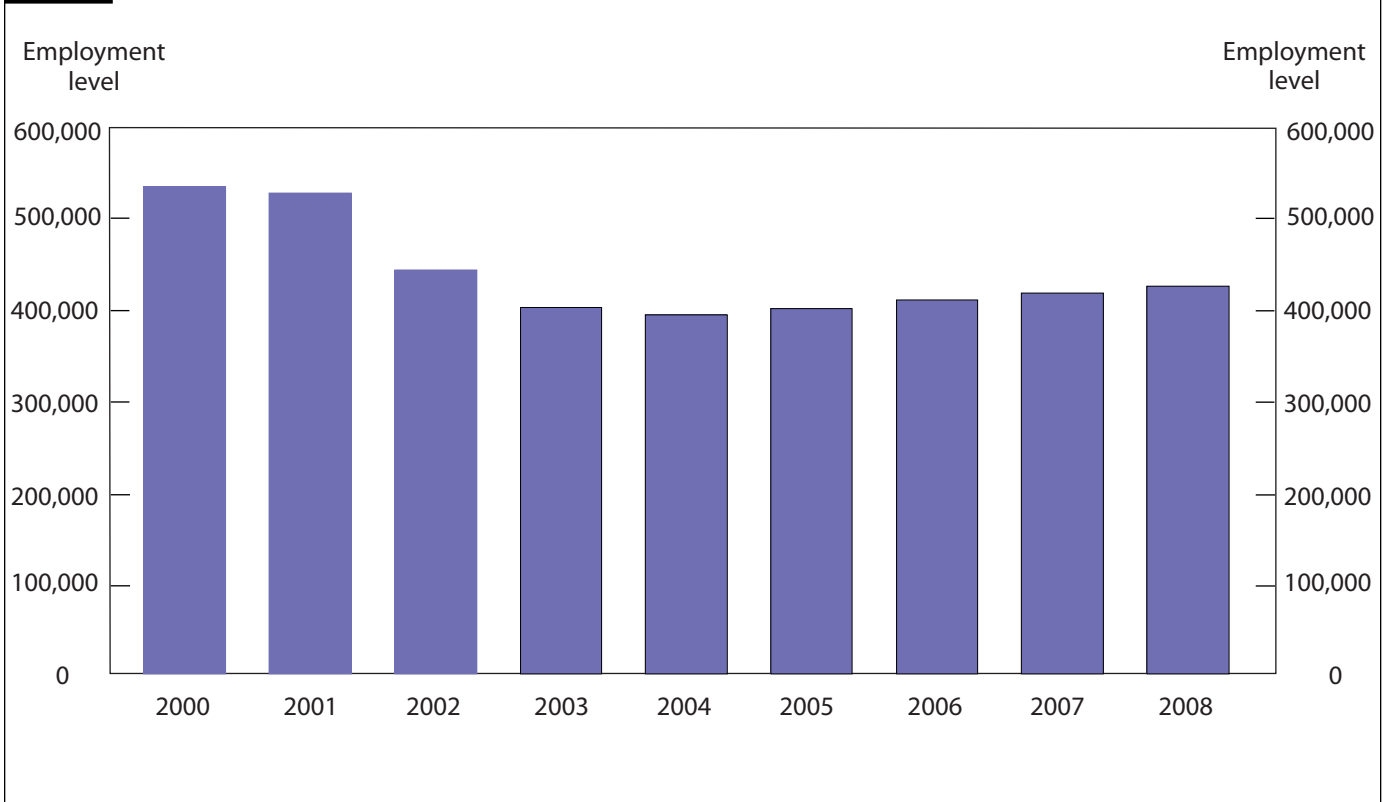
end of 2000 and into the early part of 2001. In Santa Clara County, the heart of Silicon Valley, the unemployment rate stood at 2.4 percent in December 2000. Then, the aftershocks of the stock market crash—combined with the onset of economic recession and greatly reduced venture capital financing—resulted in a sudden contraction of the Silicon Valley economy; by late 2001 Silicon Valley had entered into a deep recession.<sup>11</sup> Businesses, which had accelerated spending in preparation for the Y2K switchover, found themselves with almost all the equipment they needed for some time. As orders for new technology and computing equipment fell, demand for programming and services also waned.<sup>12</sup> As a result of all these factors, as well as increased foreign and domestic competition, Santa Clara County’s unemployment rate jumped to 7.0 percent by December 2001. Some high-tech companies responded by relocating certain phases of production or moving out of Silicon Valley altogether to areas with lower commercial rents and housing costs. The future of Silicon Valley as a crucible of innovation appeared in doubt.<sup>13</sup>

The downturn in employment for Silicon Valley high tech lasted from late 2001 through 2004. High tech’s share of total Silicon Valley employment dropped from

17.2 percent in 2000 to 14.4 percent in 2004. During this 4-year period about 140,400 jobs were lost in high-tech industries in Silicon Valley, a decline of 25.8 percent. About 60 percent of the job losses occurred in 2002, after the national recession had ended. (See chart 2.) In addition, many of the job losses occurred not only in the Internet startups that were associated with the dot-com crash, but in the long-established, bedrock high-tech industry groups of computer and peripheral equipment manufacturing (henceforth referred to simply as “computer manufacturing”), and semiconductor and other electronic component manufacturing (hereafter referred to as “semiconductor manufacturing”). While not as severe as the losses in Silicon Valley, the decline in employment in high-tech industries was 13.0 percent in the rest of the Nation during the 2000-to-2004 period; as was the case in Silicon Valley, elsewhere in the country the majority of job losses occurred in 2002.

*Silicon Valley high-tech wages.* Average annual wages in Silicon Valley’s high-tech sector fell sharply along with employment following the dot-com crash.<sup>14</sup> After adjustment for inflation, average annual wages in Silicon Valley high-tech industries dropped by 15.8 percent (from

**Chart 2. Silicon Valley high-tech employment, 2000–08**





\$120,064 to \$101,057) from 2000 to 2004.<sup>15</sup> Outside Silicon Valley, the drop in average annual wages in high-tech industries was far more subdued: the decline was only 1.2 percent. (See table 1.) This difference—15.8 percent compared with 1.2 percent—greatly reduced the wage differential between high-tech workers in Silicon Valley and those in the rest of the Nation. In 2004, average annual wages for high-tech workers in Silicon Valley were 60.5 percent higher than for those outside the Valley. Though still a considerable gap, this was markedly less than the gap of 88.4 percent in 2000.

The combination of lower average wages and lower employment levels in high-tech industries in Silicon Valley resulted in lower total wages. During the year 2000, high-tech industries in Silicon Valley generated \$65.4 billion in wages—1.4 percent of total wages earned in the country and 12.8 percent of all high-tech wages in the Nation. High-tech industries accounted for 34.5 percent of all wages paid in Silicon Valley in 2000. From 2000 to 2004, wages paid in high-tech industries in Silicon Valley fell by 31.1 percent—in nominal terms—to \$45.0 billion. As a result, the share of total national wages emanating from Silicon Valley high tech decreased to 0.9 percent and Silicon Valley’s share of total high-tech wages fell below 10 percent by 2004. The share of Silicon Valley wages that was produced by high-tech industries fell to 26.9 percent. Just as average annual wages for high tech declined at a slower rate outside Silicon Valley, total wages for high tech in the rest of the Nation declined at a more restrained rate—5.6 percent—than did total wages for high tech in Silicon Valley.

The relatively larger declines in Silicon Valley’s average annual high-tech wages and total high-tech wages can be explained by the Valley’s larger share of employment in computer and semiconductor manufacturing, which experienced large declines following 2000. In comparison with Silicon Valley, the rest of the Nation had a much greater share of workers in the comparatively stable architectural, engineering, and related services industry group (henceforth referred to simply as “architecture and engineering”).

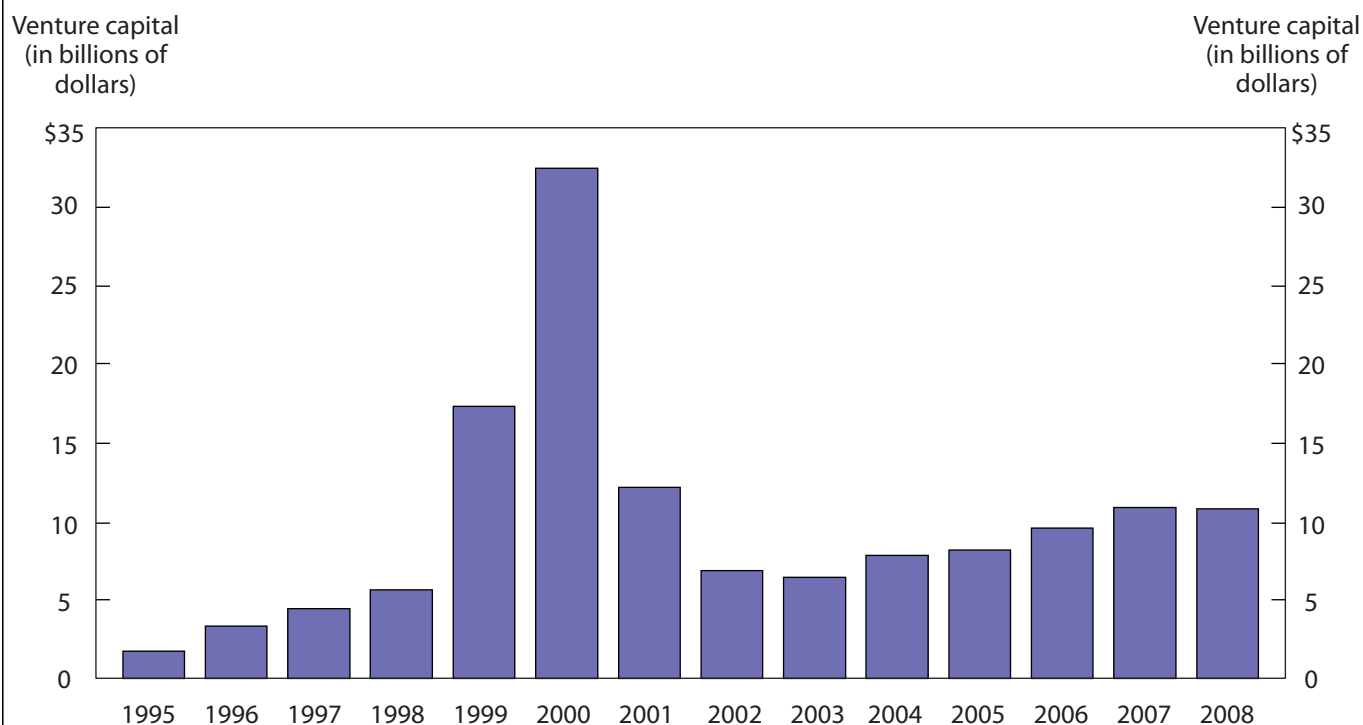
## Silicon Valley reboots: 2004–08

*Silicon Valley high-tech employment.* After 2004, high-tech employment in Silicon Valley experienced 4 years of steady, continuous growth. The stable growth across most high-tech industries during this period stands in stark contrast to the boom and bust in high tech in the years preceding and following the 2000 peak. (See chart 2.) The rebooting of Silicon Valley following 2004 was driven by several factors. Despite absorbing a loss of more than 140,000 jobs since 2000, the region held on to much of its core talent and industry strengths.<sup>16</sup> From 2004 to 2007, technology companies benefited from a generally strong economy. Robust consumer spending, coupled with increased business investment in new technology, also helped to boost high-tech employment.<sup>17</sup> In addition, venture capital financing, which had decreased substantially from 2000 to 2003, increased, though not nearly to the peak level seen in 2000. (See chart 3.) Some of this new financing went towards a new breed of Internet startups, which spurred the evolution of Web 2.0.<sup>18</sup> Another factor that buoyed employment after 2004 was the demand for products from nascent industries like biotechnology, nanotechnology, and clean or green technology.<sup>19</sup>

Employment in Silicon Valley’s high-tech sector expanded by more than 31,900 jobs, or 7.9 percent, between 2004 and 2008. This growth rate was nearly identical to that of high-tech employment outside of Silicon Valley during these 4 years. (See table 2.) The share of total Silicon Valley jobs accounted for by employment in high-tech industries grew slightly, from 14.4 percent in 2004 to 14.8 percent in 2008. Although the increase in employment was more subdued than during the dot-com boom, Silicon Valley firms experienced strong growth in sales, revenues, and profits. Between 2003 and 2004, profits rose by 170 percent for the largest 150 companies in Silicon Valley; the next year, 2005, saw profits grow by 18 percent for the largest 150 companies.<sup>20</sup> These increases in profitability, though, did not translate into vigorous job growth. During the 2000-to-2004

**Table 1. Wages in Silicon Valley high tech, non-Silicon Valley high tech, and the United States as a whole; 2000, 2004, and 2008**

Area and industry	Real average annual wages (in year 2000 dollars)			Percent change		Total nominal wages (in billions of dollars)			Percent change	
	2000	2004	2008	2000–04	2004–08	2000	2004	2008	2000–04	2004–08
Silicon Valley high tech.....	120,064	101,057	103,850	-15.8	2.8	65.4	45.0	56.0	-31.1	24.3
Non-Silicon Valley high tech.....	63,714	62,979	64,539	-1.2	2.5	444.4	419.5	528.1	-5.6	25.9
United States (all sectors).....	35,331	35,874	36,438	1.5	1.6	4,588.8	5,087.6	6,141.8	10.9	20.7

**Chart 3. Venture capital investments in Silicon Valley, 1995–2008**

SOURCE: *MoneyTree Report*, PricewaterhouseCoopers and the National Venture Capital Association

period, companies learned to get by with fewer workers by increasing productivity through automation or by outsourcing functions to cut costs. Beginning in 2004, when the employment level of high-tech companies in Silicon Valley started to creep up again, employers put off hiring full-time workers until absolutely needed and favored higher skilled workers in the areas of research and innovation.<sup>21</sup> Mergers and consolidation activity also dampened employment growth during the 2004-to-2008 period and knocked many company names off the list of Silicon Valley's largest 150 companies.<sup>22</sup> The combination of productivity gains, job cuts from mergers, and the high cost of living in the region caused many Silicon Valley high-tech companies to focus their expansion efforts on other parts of the country.<sup>23</sup> It is noted, however, that the employment growth figures for Silicon Valley during the 2004-to-2008 period may be understated because they do not include self-employed contractors or consultants.<sup>24</sup>

*Silicon Valley high-tech wages.* Like high-tech employment in Silicon Valley, average annual wages in nearly all of Silicon Valley's high-tech industries experienced growth

during the 2004-to-2008 period. Real wages grew by 2.8 percent (from \$101,057 to \$103,850).<sup>25</sup> Outside Silicon Valley, real average annual wages in high tech increased by 2.5 percent. (See table 1.) Already paid considerably more than high-tech workers in the rest of the Nation, Silicon Valley workers saw a widening in the difference between their wages and those in the rest of the Nation. By 2008, Silicon Valley high-tech workers were earning, on average, 60.9 percent more than non-Valley high-tech workers.

The slightly larger average wage growth in Silicon Valley can be explained partly by the lower rate of inflation experienced in the area during the 2004-to-2008 period. Also, many of the new jobs created after 2004 were high-skill jobs and jobs in industries with higher wages. In addition, stock options are included in the calculation of wages, and the period following 2004 was marked by strong gains for technology stocks.

During 2008, high-tech industries in Silicon Valley generated \$56.0 billion in nominal wages. Although this represents a 24.4-percent increase in comparison with the 2004 level, the shares of both total national wages (0.9 percent) and national high-tech wages (9.6 percent) accounted for by Silicon Valley's high-tech industries

**Table 2. Employment in Silicon Valley high tech, non-Silicon Valley high tech, and the United States as a whole; 2000, 2004, and 2008**

Area and industry	Employment			Net change		Percent change	
	2000	2004	2008	2000–04	2004–08	2000–04	2004–08
Silicon Valley high tech.....	544,387	403,994	435,958	-140,393	31,964	-25.8	7.9
Non-Silicon Valley high tech.....	6,975,252	6,071,746	6,544,599	-903,506	472,853	-13.0	7.8
United States (all sectors).....	129,879,584	129,278,176	134,809,551	-601,408	5,531,375	-0.5	4.3

were similar to the shares accounted for in 2004. Like total nominal high-tech wages in Silicon Valley, total nominal wages for high tech in rest of the Nation grew during the 2004-to-2008 period, expanding by 25.9 percent. Within Silicon Valley, high-tech industries accounted for 27.4 percent of total wages paid in 2008 compared with 26.9 percent in 2004.

### Analysis of specific high-tech industries

*Industry employment.* To more clearly delineate the factors driving the changes observed in aggregate Silicon Valley high-tech employment, specific high-tech industries are analyzed for the 2000-to-2008 period. In general, goods-producing and service-providing industries displayed different patterns of growth. During the 2000-to-2004 period, both goods-producing and service-providing industries in Silicon Valley experienced steep employment declines: 29.3 percent and 23.2 percent, respectively. During the following 4 years, when aggregate high-tech employment in Silicon Valley recovered, goods-producing industries grew by only 0.2 percent while industries in services added 13.1 percent to their jobs base. This shift away from goods-producing high-tech employment towards service-providing high-tech employment mirrors the trend seen in high-tech outside of Silicon Valley as well as in the overall national economy.

All high-tech industries had significant representation in Silicon Valley throughout the 2000-to-2008 timeframe. In 2008, the level of employment ranged from 99,199 jobs in the computer systems design and related services industry group (henceforth referred to simply as the “computer systems design” industry group) to 9,053 jobs in the aerospace product and parts manufacturing industry group (hereafter referred to as the “aerospace” industry group). Although 9 of the 11 industries analyzed experienced employment declines, 2 industry groups—scientific research and development services (hereafter referred to as “scientific research”), and pharmaceutical and medicine manufacturing (henceforth referred to as “pharmaceuticals”)—exhibited employment

growth from 2000 to 2008. During this period, overall Silicon Valley high-tech employment fell by around 110,000 jobs to just under 436,000 jobs.

The interrelated industry groups of scientific research and pharmaceuticals were the only industries to experience job growth during both the 2000–04 period and the 2004–08 period. These industry groups added more than 2,700 jobs combined in the first 4 years analyzed and more than 6,400 jobs in the last 4 years analyzed. During both periods, employment growth in scientific research in Silicon Valley lagged behind the industry group’s employment growth in the rest of the Nation, while employment growth in pharmaceuticals in Silicon Valley outperformed pharmaceuticals’ employment growth in the rest of the country. (See table 3.) Biotechnology firms, which fall primarily under scientific research, benefited from a substantial increase in venture capital and government support in the earlier part of the decade.<sup>26</sup> In addition, biotechnology has been crucial in the development of medicines, which have fueled growth in the pharmaceutical industry.<sup>27</sup> Demand for both new drugs and new medical devices boosted medical and biotechnological research throughout the 8-year period.<sup>28</sup> The scientific research industry group includes not only research in the broad field of biotechnology, but also nanotechnology and green or clean technology. A separate analysis of green jobs estimates a 23-percent rise in Silicon Valley green jobs from 2005 to 2008.<sup>29</sup>

Four of the industries analyzed declined during the 2000–04 period but experienced job growth in the 2004–08 period: the computer systems design industry group; the cluster of the three subsectors of Internet services, telecommunications, and data processing, hosting and related services (hereafter, this third subsector is referred to as “data processing”); the architecture and engineering industry group; and the computer manufacturing industry group. Employment in all of these industries, apart from architecture and engineering, fell at a higher rate locally than in the rest of the Nation during the first 4 years; however, these industries also recovered at a faster rate in Silicon Valley during the second 4-year period.

With the exception of architecture and engineering,

**Table 3. Employment by industry in Silicon Valley and the rest of the Nation; 2000, 2004, and 2008**

Industry	Employment in Silicon Valley			Net change		Percent change, Silicon Valley		Percent change, Non-Silicon Valley	
	2000	2004	2008	2000-04	2004-08	2000-04	2004-08	2000-04	2004-08
All industries.....	3,165,418	2,799,191	2,941,930	-366,227	142,739	-11.6	5.1	-0.2	4.3
High tech.....	544,387	403,994	435,958	-140,393	31,964	-25.8	7.9	-13.0	7.8
Computer systems design and related services	108,705	77,808	99,199	-30,897	21,391	-28.4	27.5	-11.4	26.6
Semiconductor and electronic component manufacturing.....	91,748	61,165	57,512	-30,583	-3,653	-33.3	-6.0	-33.4	-3.7
Internet services, telecommunications, and data processing, hosting, and related services.....	78,413	47,227	49,817	-31,186	2,590	-39.8	5.5	-22.8	-7.4
Computer and peripheral equipment manufacturing.....	58,328	38,315	42,869	-20,013	4,554	-34.3	11.9	-25.7	-18.5
Architecture and engineering services.....	49,680	39,274	43,352	-10,406	4,078	-20.9	10.4	3.0	13.8
Scientific research and development services.....	49,586	50,799	54,697	1,213	3,898	2.4	7.7	5.5	10.9
Electronic instrument manufacturing.....	39,948	30,543	27,550	-9,405	-2,993	-23.5	-9.8	-8.9	4.0
Software publishers.....	27,501	25,937	25,606	-1,564	-331	-5.7	-1.3	-12.0	12.7
Communications equipment manufacturing.....	20,601	11,663	11,578	-8,938	-85	-43.4	-7	-40.8	-13.7
Pharmaceutical and medicine manufacturing.....	10,667	12,190	14,725	1,523	2,535	14.3	20.8	4.5	.0
Aerospace product and parts manufacturing.....	9,210	9,073	9,053	-137	-20	-1.5	-2	-14.8	15.1

employment in every high-tech industry moved in the same direction—positively or negatively—in Silicon Valley as in the rest of the Nation between 2000 and 2004. The engineering services part of this industry group accounted for nearly two out of every three jobs it lost during this time. During the 2004–08 period, employment in architecture and engineering grew by 10.4 percent in Silicon Valley and by 13.8 percent in the rest of the Nation.

Computer systems design, which employed the largest number of employees in Silicon Valley throughout the period used for analysis, lost nearly 30,000 jobs from 2000 to 2004. This industry group provides computer systems design, expertise, and support not only for high-tech companies but for a broad range of professional and business-related industries. Employment in this industry was affected by the 2001 economic recession, which resulted in reduced businesses investment in information technology and the increased migration of system design employees and firms out of the area. In recent years, as businesses have increased their reliance on computer and information technology, they have turned to firms in the computer systems design industry group to meet their specialized needs.<sup>30</sup>

The cluster of Internet services, telecommunications, and data processing experienced heavy job losses in both the telecommunications and Internet segments because of increased consolidation in the telecommunications industry and the failure of many Internet startups following the dot-com bust. Between 2004 and 2008, job losses in telecommunications began to subside, while Internet companies and web-search portals grew. Em-

ployment growth in the Internet services subsector was driven by a new breed of startups, which created many of the innovations in web 2.0 technology. In addition, many Internet companies benefited from venture capital financing.<sup>31</sup>

The two bellwether industry groups within high-tech manufacturing in Silicon Valley—computer manufacturing and semiconductor manufacturing—both were hit hard by job losses in the 2000-to-2004 period because of a substantial weakening in demand coupled with an increase in imports.<sup>32</sup> These two complementary industry groups together accounted for more than 50,000 jobs lost during that time. A different pattern emerged during the 2004–08 period: computer manufacturing added nearly 5,000 jobs in the local economy, while outside of the area it continued to lose jobs; in contrast, semiconductor manufacturing continued to lose jobs both in Silicon Valley and in the rest of the country, primarily because of increased foreign competition.<sup>33</sup>

In addition to semiconductor manufacturing, four other industry groups lost jobs in both the earlier and latter 4-year periods. Three of these industry groups were in the high-tech manufacturing arena—communications equipment manufacturing; navigational, measuring, electromedical, and control instruments manufacturing (hereafter referred to as “electronic instrument manufacturing”); and aerospace. Because of the precision involved in the manufacturing process, communications equipment and electronic instrument manufacturing have become highly automated in recent years.<sup>34</sup> The employment decline in communications equipment manufacturing was much less pronounced in

Silicon Valley than in the rest of the Nation during the 2004-to-2008 period; meanwhile, electronic instrument manufacturing grew in the rest of the Nation but fell by nearly 10 percent in the local area. Aerospace, which is the smallest high-tech industry in Silicon Valley in terms of employment, experienced a modest 1.5-percent decline during the 2000-to-2004 period. During this timespan, the aerospace industry group was undergoing a period of consolidation and contraction in the rest of the Nation, which resulted in a 14.8-percent national decline in employment for aerospace.<sup>35</sup> While the aerospace industry group resumed job growth in the rest of the Nation during the 2004-to-2008 period, Silicon Valley's employment in this industry group was basically unchanged. The last industry group that lost jobs during both periods analyzed was software publishers, which was affected by increased levels of offshore outsourcing. This trend appears to have reduced the number of lower paying software publishing jobs in Silicon Valley and the United States, though at the same time the number of higher paying software jobs increased in Silicon Valley and the country as a whole.<sup>36</sup> Employment in Silicon Valley's software publishers industry group declined at a little less than half the rate of software publishers in the rest of the Nation during the 2000-04 period; in the 2004-08 period, the number of jobs in this industry group decreased slightly in Silicon Valley but rose by nearly 13 percent in the rest of the Nation.

*Employment concentration.* Several Silicon Valley high-tech industries expanded between 2000 and 2004 as well as from 2004 to 2008 in terms of employment concentration and significance in the Silicon Valley economy. One statistical measure of the concentration of a local industry is the location quotient. The location quotient (LQ) is a ratio that compares a particular industry's concentration of jobs in a defined area with the industry's concentration of jobs in a larger area or base.<sup>37</sup> For example, LQs can be used to compare the proportion of the Silicon Valley workforce employed in high tech with the proportion of the national workforce employed in high tech.<sup>38</sup>

An industry with an LQ greater than 1.0 employs a greater concentration of workers locally relative to the national concentration. The LQ for high tech in Silicon Valley was 3.0 in 2000 and 2.9 in both 2004 and 2008, indicating that high-tech employment was concentrated at about 3 times the national average throughout the 2000-08 period. (See table 4.) Another interpretation that can be elicited from these results is that the Silicon

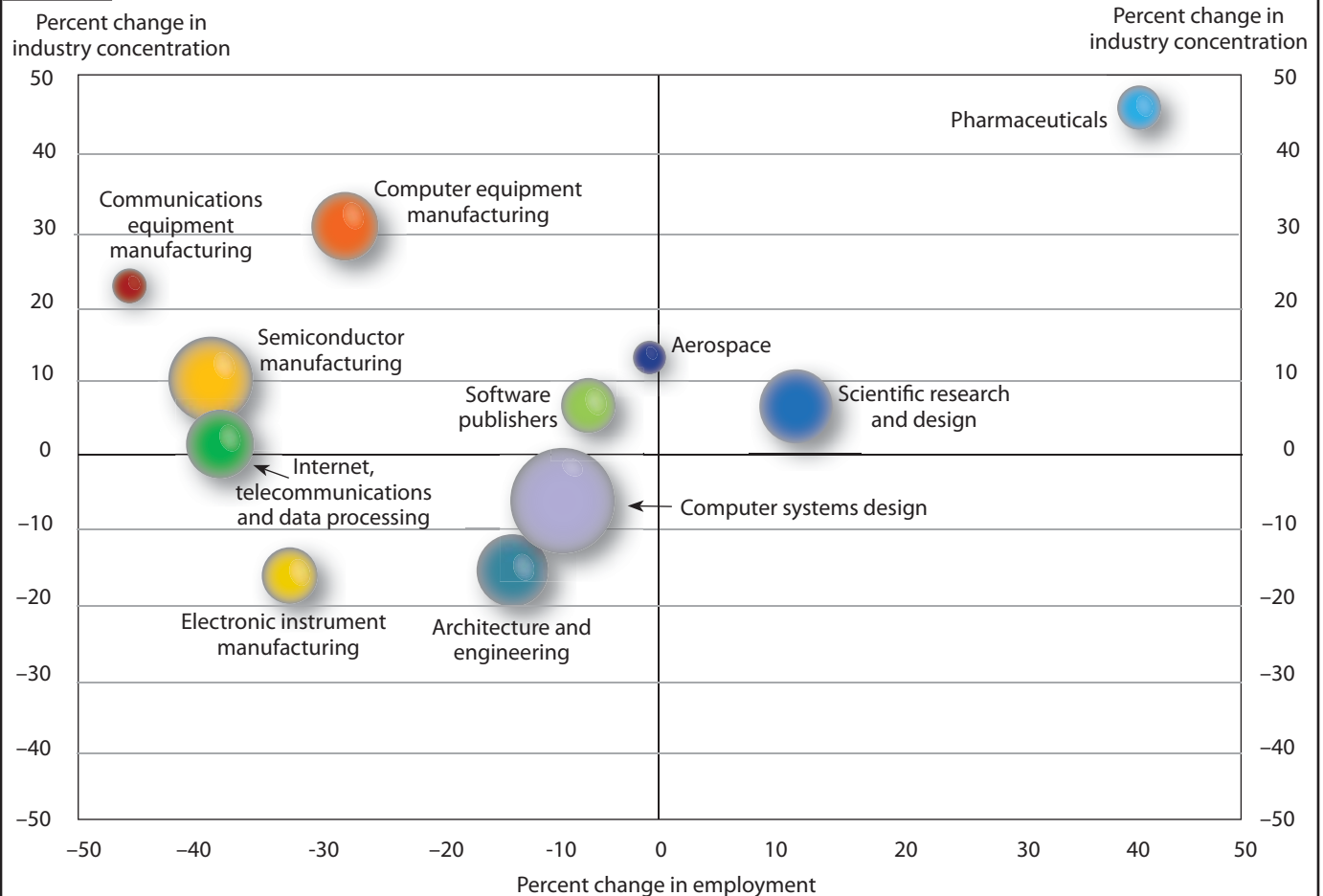
Valley high-tech cluster of industries has remained stable over time as measured by its concentration in the local economy relative to its concentration in the rest of the Nation. This result runs contrary to the arguments of those who say that, in recent years, high tech in Silicon Valley has lost some of its competitive edge compared with high tech in other regions.<sup>39</sup> In addition, although the Valley's overall high-tech LQ has remained stable, the majority of high-tech industries analyzed increased their relative concentration from 2000 to 2008. Between 2000 and 2004, 7 of the 11 high-tech industries increased their LQ; from 2004 to 2008, 4 industries increased their LQ; and over the entire 8-year period, 7 of the 11 high-tech industries increased their LQ.

Of the seven industry groups with LQs that increased between 2000 and 2008, five actually lost jobs over the 8-year period. LQs rose for manufacturing of computers, semiconductors, communications equipment, and aerospace products and parts, as well as for software publishers, even though job losses in these industry groups occurred in the local area. This demonstrates the increasing significance of these industries to the Silicon Valley economic base. Both the LQs and the employment of pharmaceuticals and of scientific research increased over the 8-year period. Note that the LQs range from a little under 1 for aerospace to more than 10 for computer manufacturing (in 2008). Ten of the eleven industries analyzed had location quotients greater than 1, indicating an above-average concentration of employment in the local area relative to the Nation as a whole.

Employment concentrations and trends can also be demonstrated visually by use of a bubble chart. (See chart 4.) The size of each bubble represents an industry's 2008 employment level; a larger bubble indicates more employ-

Industry	2000	2004	2008
All high tech.....	3.0	2.9	2.9
Computer and peripheral equipment manufacturing.....	8.3	8.4	10.7
Semiconductor and electronic component manufacturing.....	5.6	6.3	6.1
Software publishers.....	4.3	5.1	4.5
Scientific research and development services.....	3.7	4.1	3.9
Communications equipment manufacturing.....	3.4	3.7	4.2
Electronic instrument manufacturing.....	3.4	3.3	2.9
Computer systems design and related services..	3.4	3.1	3.1
Internet services, telecommunications, and data processing, hosting, and related services.....	2.0	1.8	2.0
Pharmaceutical and medicine manufacturing....	1.6	2.0	2.3
Architectural, engineering, and related services.	1.6	1.4	1.3
Aerospace product and parts manufacturing.....	.7	.9	.8

**Chart 4. Percent changes in industry concentration<sup>1</sup> and employment, by high-tech industry in Silicon Valley, 2000–08**



<sup>1</sup> As measured by location quotients.

NOTE: The size of each bubble represents the size of the industry as measured by employment in 2008.

ment. Industries in the upper-right quadrant grew both in employment and in relative concentration in Silicon Valley from 2000 to 2008 and thus are the “emerging leaders” of the area’s economy. Those in the upper-left quadrant, though having declined in terms of jobs, have grown as measured by relative concentration. These might be labeled the “survivors” from the original hardware-oriented Silicon Valley. In the lower-left quadrant are industries that have lost both employment and relative share. Most notable among these “sliders” is electronic instrument manufacturing. The lower-right quadrant is for industries that have gained in employment but have declined in relative concentration. None of Silicon Valley’s high-tech industries were found in the lower-right quadrant, a result which implies that industries which grew in Silicon Valley grew at a faster pace there than in the rest of the Nation.

*Industry wages.* Average annual wages fell sharply between 2000 and 2004 and grew modestly between 2004 and 2008 in Silicon Valley’s high-tech sector, mirroring the sector’s trends in employment in the Valley during these periods. Between 2000 and 2008, 4 of the 11 industries analyzed experienced an increase in real annual wages while 7 experienced wage declines. (See table 5.) During the final 4 years, however, the average wages of 8 of 11 industries advanced. In comparison, in the rest of the Nation, six of the industries had wage growth over the 8-year period and eight had wage growth from 2004 to 2008.

Of the 11 industries analyzed, 3 experienced growth in real wages in Silicon Valley during both the 2000–04 and 2004–08 periods. The three industries were aerospace, scientific research, and architecture and engineer-

**Table 5. Real average annual wages (in year 2000 dollars), by industry; 2000, 2004, and 2008**

Industry	Silicon Valley					Non-Silicon Valley				
	2000	2004	2008	Percent change, 2000–04	Percent change, 2004–08	2000	2004	2008	Percent change, 2000–04	Percent change, 2004–08
All industries.....	59,894	54,166	56,212	-9.6	3.8	34,718	35,463	36,011	2.1	1.5
High tech.....	120,064	101,057	103,850	-15.8	2.8	63,714	62,979	64,539	-1.2	2.5
Pharmaceutical and medicine manufacturing.....	122,044	124,147	111,929	1.7	-9.8	73,353	72,582	74,764	-1.1	3.0
Computer and peripheral equipment manufacturing.....	222,965	125,799	127,214	-43.6	1.1	78,257	79,023	82,241	1.0	4.1
Communications equipment manufacturing	120,745	100,080	107,154	-17.1	7.1	65,700	66,446	63,783	1.1	-4.0
Semiconductor and electronic component manufacturing.....	115,241	94,344	91,547	-18.1	-3.0	57,608	56,038	56,077	-2.7	.1
Electronic instrument manufacturing.....	102,561	89,878	98,358	-12.4	9.4	58,424	62,778	63,330	7.5	.9
Aerospace product and parts manufacturing	71,810	86,031	96,029	19.8	11.6	57,904	63,574	63,102	9.8	-7
Software publishers.....	158,090	126,415	132,925	-20.0	5.1	109,365	82,074	88,574	-25.0	7.9
Architectural, engineering, and related services.....	72,009	72,059	75,152	.1	4.3	53,975	55,374	58,473	2.6	5.6
Computer systems design and related services.....	118,607	102,428	102,995	-13.6	.6	71,599	68,279	68,575	-4.6	.4
Scientific research and development services	84,945	87,467	99,053	3.0	13.2	65,549	68,657	72,621	4.7	5.8
Internet services, telecommunications, and data processing, hosting and related services	104,638	116,620	116,248	11.5	-3	59,345	57,703	57,405	-2.8	-5

ing. Between 2000 and 2004, all three of these industry groups had wage growth in the rest of the Nation as well. During the 2004-to-2008 period, aerospace wages fell nationally but grew by 11.6 percent in Silicon Valley.

Within Silicon Valley, 5 of the 11 industries analyzed experienced wage declines in the earlier 4-year period followed by wage growth in the latter period. The largest 2000–04 decline occurred in computer manufacturing, in which average wages fell 43.6 percent from about \$223,000 per year to about \$126,000 per year. Two other industry groups experienced wage declines exceeding the average decline for all high-tech industries during the 4-year span: software publishers (a decline of 20.0 percent) and communications equipment manufacturing (a decline of 17.1 percent). Wages in these industry groups were affected by competition, both domestic and foreign, as well as by increased automation of manufacturing processes. Two of the industry groups—computer manufacturing and communications equipment manufacturing—did experience a modest rise in average wages outside of Silicon Valley. The wage declines that occurred in five industries between 2000 and 2004 were so severe that, by 2008, none of these industries had reached its average wage level seen in 2000.

During the 2000–04 period, wage trends in the Internet services, telecommunications, and data processing cluster and in the pharmaceuticals industry group ran contrary to trends observed in other high-tech industries in Silicon Valley and in the rest of the Nation: the

average wages of both sectors grew in Silicon Valley but declined in the rest of the Nation. During the 2004–08 period, wages for the pharmaceutical industry group fell in Silicon Valley but rose in the rest of the country, and wages in Internet services, telecommunications, and data processing fell slightly both in Silicon Valley and elsewhere in the country. The pharmaceuticals industry group and the Internet, telecommunications, and data processing cluster were among the three Silicon Valley high-tech industries to experience a decline in wages during the 2004-to-2008 period.

In Silicon Valley, semiconductor manufacturing exhibited declining average wages during both the 2000–04 and 2004–08 periods. Average wages in this industry declined in the rest of the country as well during the earlier 4-year period, but in the rest of the country they were slightly higher in 2008 than they were in 2004. With regard to total high-tech wages, a shift away from goods-producing industries and towards service-providing industries occurred between 2000 and 2008. The share of high-tech wages generated by service-providing industries grew from 50.8 percent in 2000 to 62.0 percent in 2008, primarily because of a fall in total wages in computer and semiconductor manufacturing. (See table 6.)

In 2000, total wages generated in Silicon Valley were \$189.6 billion. At that time, high-tech industries made up about 34.5 percent of all Silicon Valley wages. By 2004, Silicon Valley nominal wages had dropped to \$167.3 billion, of which 26.9 percent was in high-tech

**Table 6. Total wages in Silicon Valley, by industry; 2000, 2004, and 2008**

Industry	2000		2004		2008	
	Total annual wages (in billions of dollars)	Percent of Silicon Valley high tech	Total annual wages (in billions of dollars)	Percent of Silicon Valley high tech	Total annual wages (in billions of dollars)	Percent of Silicon Valley high tech
All industries.....	189.6	N/A	167.3	N/A	204.4	N/A
High tech.....	65.4	100.0	45.0	100	56.0	100.0
Computer and peripheral equipment manufacturing.....	13.0	19.9	5.3	11.8	6.7	12.0
Computer systems design and related services.....	12.9	19.7	8.8	19.5	12.6	22.6
Semiconductor and electronic component manufacturing....	10.6	16.2	6.4	14.1	6.5	11.6
Internet services, telecommunications, and data processing, hosting, and related services.....	8.2	12.6	6.1	13.5	7.2	12.8
Software publishers.....	4.3	6.7	3.6	8.0	4.2	7.5
Scientific research and development services.....	4.2	6.4	4.9	10.9	6.7	12.0
Electronic instrument manufacturing.....	4.1	6.3	3.0	6.7	3.3	6.0
Architectural, engineering, and related services.....	3.6	5.5	3.1	6.9	4.0	7.2
Communications equipment manufacturing.....	2.5	3.8	1.3	2.9	1.5	2.7
Pharmaceutical and medicine manufacturing.....	1.3	2.0	1.7	3.7	2.0	3.6
Aerospace product and parts manufacturing.....	.7	1.0	.9	1.9	1.1	1.9

industries. Total wages in Silicon Valley as a whole and total wages in Silicon Valley high-tech industries resumed growth after 2004. During 2008 the Silicon Valley economy generated approximately \$204.4 billion in wages, a 7.8-percent increase compared with the total in 2000, of which 27.4 percent came from high tech.

Among the 11 high-tech industries, the largest share of total annual wages in 2008 was in computer systems design (22.6 percent), followed by the Internet services, telecommunications, and data processing cluster (12.8 percent), computer manufacturing (12.0 percent), scientific research (12.0 percent), and semiconductor manufacturing (11.6 percent). These five industries accounted for 71.0 percent of all high-tech industry wages in 2008. During the same year, they accounted for 69.8 percent of Silicon Valley high-tech employment.

In 2000, these five industries had even more thoroughly dominated the high-tech industry scene in regard to wages and employment. The five combined accounted for 74.8 percent of total wages that year, with computer manufacturing making up the largest share of total wages, 19.9 percent. In addition, they accounted for nearly 387,000 jobs, or 71.0 percent of total Silicon Valley high-tech employment.

Eight of the eleven industries analyzed paid less in total annual wages in 2004 than they had paid in 2000. The only exceptions were scientific research and pharmaceuticals, both of which had growing employment bases, and aerospace, whose average wages experienced strong growth. The combined share of total annual wages for these three industry groups rose from 9.4 percent in 2000 to 16.5 percent in 2004. In contrast, computer

manufacturing experienced the largest drop in total annual wages in both nominal and percentage terms: wages fell from \$13.0 billion in 2000 to \$5.3 billion in 2004 (a decline of 59.2 percent) in this industry group.

From 2004 to 2008, total annual wages grew in every Silicon Valley high-tech industry. Computer systems design, the largest industry in Silicon Valley as measured by employment and total wages, experienced the largest growth in annual wages in both nominal terms (\$3.8 billion) and percentage terms (43.6 percent). Scientific research ranked second in both nominal growth (\$1.8 billion) and percentage growth (36.6 percent). The only industry in which total wages grew by less than 10 percent during the 2004-to-2008 period was semiconductor manufacturing (2.2 percent). Despite the acute drop in total wages for computer manufacturing and related industries that occurred after 2000, and the shift towards smaller high-tech industries, computer manufacturing, semiconductor manufacturing, and computer systems design still accounted for almost half of total wages in the Silicon Valley high-tech sector in 2008.

### Analysis by county

*Employment trends across Silicon Valley counties.* Though it made up only 30.8 percent of Silicon Valley's total employment in 2008, Santa Clara County accounted for 54.8 percent of all of the Valley's high-tech employment that year. (See table 7.) In a majority of high-tech industries, Santa Clara accounted for at least half of the Valley's industry employment; in 5 of 11 industries, all of which were in manufacturing, Santa Clara had more



**Table 7. High-tech employment in Silicon Valley, by county; 2000, 2004, and 2008**

County	2000		2004		2008	
	Employment	Percent of total	Employment	Percent of total	Employment	Percent of total
Silicon Valley total.....	544,387	100.0	403,994	100.0	435,958	100.0
Santa Clara.....	311,941	57.3	217,980	54.0	238,747	54.8
Alameda.....	82,324	15.1	72,430	17.9	71,378	16.4
San Mateo.....	60,166	11.1	53,122	13.1	59,155	13.6
San Francisco.....	53,294	9.8	31,542	7.8	40,556	9.3
Contra Costa.....	28,727	5.3	23,839	5.9	21,928	5.0
Santa Cruz.....	7,935	1.5	5,081	1.3	4,194	1.0

**Table 8. Average annual wages (in year 2000 dollars) for high tech in Silicon Valley, by county; 2000, 2004, and 2008**

County	2000	2004	2008	Percent change, 2000-04	Percent change, 2004-08
Silicon Valley average.....	120,064	101,057	103,850	-15.8	2.8
San Mateo.....	139,487	110,713	111,915	-20.6	1.1
Santa Clara.....	137,779	112,868	115,302	-18.1	2.2
Santa Cruz.....	93,890	78,868	63,368	-16.0	-19.7
San Francisco.....	87,692	80,327	88,672	-8.4	10.4
Alameda.....	78,815	77,267	79,636	-2.0	3.1
Contra Costa.....	72,515	75,978	72,040	4.8	-5.2

than two-thirds of the industry's total employment: the 5 industries were the manufacturing of computers, communications equipment, semiconductors, electronic instruments, and aerospace products and parts. This trend—of Santa Clara accounting for a large percentage of industries' employment—was even stronger in 2000 and nearly as strong in 2004 than in 2008.

As would be expected, the distribution patterns of high-tech employment across Silicon Valley counties were driven primarily by the high-tech industrial mix in each county. Between 2000 and 2008, Santa Clara County suffered the largest percentage of job losses, 23.5 percent, mainly due to its larger concentration of employment in manufacturing. San Mateo County had relatively stable high-tech employment levels because of its larger concentration in growth industries like pharmaceuticals and scientific research. Over the 8-year period, the general trend was a shift of high-tech employment away from Santa Clara, Santa Cruz, and Contra Costa Counties towards San Mateo and Alameda Counties. San Francisco County lost the largest percentage (40.8 percent) of high-tech workers between 2000 and 2004, but recovered slightly more than 9,000 jobs between 2004 and 2008, primarily due to a resurgence of the computer systems design industry group.

*Wage trends across Silicon Valley counties.* Of the six counties in Silicon Valley, San Mateo and Santa Clara had the highest average annual wages throughout the

analysis period. (See table 8.) The higher wages in these counties are due mainly to the industrial mix in each county. San Mateo and Santa Clara had a larger concentration of jobs in higher paying high-tech industries such as software publishers, computer manufacturing, and pharmaceuticals. Between 2000 and 2004, when real annual wages shrank in most manufacturing industries, San Mateo and Santa Clara suffered the largest wage declines: 20.6 percent and 18.1 percent, respectively. Though Contra Costa was the only county to experience a rise in average wages between 2000 and 2004, it and Santa Cruz were the only counties to experience a decline in wages from 2004 to 2008. During this latter period, San Francisco County had the greatest wage growth (10.4 percent) of all the counties in Silicon Valley, and it experienced wage growth in nearly all of its high-tech industries.

FROM 2000 to 2008, SILICON VALLEY high-tech industries shed more than 108,400 jobs, or 19.9 percent of their total workforce, and real wages decreased by 13.5 percent. Among the area's high-tech industries, semiconductor manufacturing lost the most jobs (more than 34,000) and had the second-highest percentage decline, 37.3 percent. The percentage decline in communications equipment manufacturing was more substantial (43.8 percent). Bucking the trend, pharmaceuticals (38.0 percent employment growth) and scientific research (10.3 percent employment growth) were the only industries that had surpassed 2000

employment levels by 2008. In addition, these two industries were the only ones to have sustained growth throughout the 8-year period. Outside Silicon Valley, high-tech industries lost nearly 431,000 jobs but had a more modest 6.2-percent rate of decline in employment over the 2000–08 period. Real wages in non-Silicon Valley high-tech industries increased 1.3 percent.

Despite the loss in wages and relatively higher rate of employment decline in comparison with high-tech industries in the rest of the country, Silicon Valley high-tech industries remained prominent with regard to not only the number of jobs, but also the number of jobs paying

high wages. Silicon Valley high-tech workers were earning nearly 61 percent more than their counterparts in the rest of the Nation in 2008. In addition, from 2000 to 2008 most high-tech industries grew in concentration in Silicon Valley at a faster rate than they grew in concentration in the United States. In recent years, Silicon Valley's high-tech sector has had a resurgence, which has been led by biotech and Internet companies as well as a new investment boom in the emerging area of clean environment technology.<sup>40</sup> Silicon Valley thus continues to evolve while still remaining a breeding ground for technological advancement and ingenuity. □

## Notes

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<sup>1</sup> Ross C. DeVol, Kevin Klowden, Armen Bedroussian, and Benjamin Yeo, *North America's High-Tech Economy: The Geography of Knowledge-Based Industries* (Santa Monica, CA, The Milken Institute, June 2, 2009).

<sup>2</sup> Junfu Zhang, *High-Tech Start-Ups and Industry Dynamics in Silicon Valley* (San Francisco, Public Policy Institute of California, 2003), p. 6.

<sup>3</sup> *Silicon Valley Index* (published by Joint Venture: Silicon Valley Network), 2008, pg 14; for more information, see [www.jointventure.org/index.php?option=com\\_content&view=category&layout=blog&id=13&Itemid=182](http://www.jointventure.org/index.php?option=com_content&view=category&layout=blog&id=13&Itemid=182) (visited Jan. 8, 2010).

<sup>4</sup> *MoneyTree Report*, PricewaterhouseCoopers and the National Venture Capital Association, on the Internet at <https://www.pwc-moneytree.com/MTPublic/ns/nav.jsp?page=historical> (visited Jan. 8, 2010).

<sup>5</sup> Tapan Munroe, *Dot-Com to Dot-Bomb: Understanding the Dot-Com Boom, Bust and Resurgence* (Moraga Press, Moraga, California, 2004), p. 11.

<sup>6</sup> *Ibid.*, p. 4.

<sup>7</sup> Greg Sandoval, "Some dot-coms fleeing Valley for cheaper pastures," CNET News, Sept. 1, 2000, on the Internet at [http://news.cnet.com/Some-dot-coms-fleeing-Valley-for-cheaper-pastures/2100-1017\\_3-245267.html](http://news.cnet.com/Some-dot-coms-fleeing-Valley-for-cheaper-pastures/2100-1017_3-245267.html) (visited Jan. 5, 2010).

<sup>8</sup> 2008 was chosen as the end year for the study because it was the most current year for which data were available. In addition, 2008 represented a year of growth for high tech in Silicon Valley (despite the recession), and during that year employment reached its highest level since 2000.

<sup>9</sup> NAICS groups establishments into industries on the basis of the activities in which the establishments are primarily engaged.

<sup>10</sup> Daniel Hecker, "High-technology employment: a NAICS-based update," *Monthly Labor Review*, July 2005, pp. 57–72.

<sup>11</sup> Zhang, *High-Tech Start-Ups*, p. 37.

<sup>12</sup> Kevin L. Kliesen, "Was Y2K Behind the Business Investment Boom and Bust?" Federal Reserve Bank of St. Louis *Review*, January/February 2003, pp. 31–42.

<sup>13</sup> Mark Larson, "More companies leave Silicon Valley for El Dorado Hills," *Sacramento Business Journal*, Sept. 7, 2001.

<sup>14</sup> The wage data used in this article are average weekly wage figures that come from the Quarterly Census of Employment and Wages, 2000–08.

<sup>15</sup> The average annual wage data that were used were deflated by use of the San Francisco-Oakland-San Jose Consumer Price Index for all Urban Consumers (CPI-U). All average annual wages are in 2000 dollars.

<sup>16</sup> *Silicon Valley Index* (published by Joint Venture: Silicon Valley Network), 2006, p. 5; see [www.jointventure.org/index.php?option=com\\_content&view=category&layout=blog&id=13&Itemid=182](http://www.jointventure.org/index.php?option=com_content&view=category&layout=blog&id=13&Itemid=182) (visited Jan. 5, 2010) for more details.

<sup>17</sup> Chris O'Brien and Jack Davis, "Valley steps up its rebound for second straight year," *San Jose Mercury News*, Apr. 10, 2006.

<sup>18</sup> John Cook, "Venture Capital: A new breed of Internet startups is here," *Seattle PI*, Nov. 18, 2005, on the Internet at [www.seattlepi.com/venture/248865\\_vc18.html](http://www.seattlepi.com/venture/248865_vc18.html) (visited Jan. 5, 2010).

<sup>19</sup> *Silicon Valley Index*, 2009, p. 4.

<sup>20</sup> O'Brien and Davis, "Valley steps up its rebound."

<sup>21</sup> Pui-Wing Tam, "Market Is Hot For High-Skilled In Silicon Valley," *The Wall Street Journal*, Feb. 28, 2006.

<sup>22</sup> O'Brien and Davis, "Valley steps up its rebound."

<sup>23</sup> *Ibid.*

<sup>24</sup> Self-employed people—including independent contractors—are among those not covered under unemployment insurance and hence are not captured in the Quarterly Census of Employment and Wages. In addition, there is no way to disaggregate those who are self-employed and work in high-tech industries and those who are self-employed and work in other industries.

<sup>25</sup> These wage data were deflated by use of the San Francisco-Oakland-San Jose Consumer Price Index for all Urban Consumers (CPI-U).

All average annual wages are in 2000 dollars.

<sup>26</sup> Tom Abate, "Long-stalled appointment at FDA is crucial to biotech," *San Francisco Chronicle*, Sept. 2, 2002, on the Internet at [www.sfgate.com/cgi-bin/article/article?f=c/a/2002/09/02/BU26844.DTL](http://www.sfgate.com/cgi-bin/article/article?f=c/a/2002/09/02/BU26844.DTL) (visited Jan. 8, 2010).

<sup>27</sup> "Big pharma looks to generics and biotech for growth," *Managing Intellectual Property*, on the Internet at [www.managingip.com/Article.aspx?ArticleID=2004484](http://www.managingip.com/Article.aspx?ArticleID=2004484) (visited Jan. 8, 2010).

<sup>28</sup> "Biotech Key Driver of Pharmaceutical Growth," *Industry in figures*, World Pharmaceutical Frontiers, 2005, on the Internet at [www.worldpharmaceuticals.net/editorials/008/008\\_WPF008.pdf](http://www.worldpharmaceuticals.net/editorials/008/008_WPF008.pdf) (visited Jan. 8, 2010).

<sup>29</sup> *Silicon Valley Index* (published by Joint Venture: Silicon Valley Network), 2009, on the Internet at [www.jointventure.org/images/stories/pdf/2009Index.pdf](http://www.jointventure.org/images/stories/pdf/2009Index.pdf) (visited Jan. 8, 2010).

<sup>30</sup> *Career Guide to Industries, 2008–09 Edition* (Bureau of Labor Statistics), on the Internet at [www.bls.gov/oco/cg/cgs033.htm](http://www.bls.gov/oco/cg/cgs033.htm) (visited Nov. 23, 2009).

<sup>31</sup> "Global Venture Capital Investment in Web 2.0 Companies on the Rise," *Dow Jones Financial Information Services*, Mar. 21, 2007.

<sup>32</sup> David Brauer, "Factors Underlying the Decline in Manufacturing Employment Since 2000" (Congressional Budget Office, Dec. 23, 2008).

<sup>33</sup> Ibid.

<sup>34</sup> *Career Guide to Industries, 2008–09 Edition*.

<sup>35</sup> John Tracy, "Drivers and Challenges for U.S. Aerospace Manufacturing," from *New Directions in Manufacturing: Report of a workshop*, National Research Council, 2004.

<sup>36</sup> "Offshore Outsourcing in an Increasingly Competitive and Rapidly Changing World," American Electronics Association, March 2004, p.4, on the Internet at [www.aeanet.org/publications/IDMK\\_AeA\\_Offshore\\_Outourcing.asp](http://www.aeanet.org/publications/IDMK_AeA_Offshore_Outourcing.asp) (visited Jan. 8, 2010).

<sup>37</sup> Location quotients are calculated with the following equation:

$$LQ = \frac{\frac{E_{it}}{E_{it}}}{\frac{E_{it}}{E_{nt}}}$$

where  $l$  represents local employment,  $n$  represents national employment,  $i$  represents industry employment, and  $t$  represents total employment.

<sup>38</sup> Donald Lyons and Bill Luker, Jr., "Employment in R&D-intensive high-tech industries in Texas," *Monthly Labor Review*, November 1996, pp. 15–25.

<sup>39</sup> Charles Babcock, "Silicon Valley Losing Its Edge," *Information Week*, Sept. 16, 2005, on the Internet at [www.informationweek.com/news/global-cio/showArticle.jhtml?articleID=170704247](http://www.informationweek.com/news/global-cio/showArticle.jhtml?articleID=170704247) (visited Jan. 8, 2010); Thomas Friedman, "Losing Our Edge to China, India, Japan," *New York Times*, Apr. 22, 2004; and Michael S. Malone, "Has Silicon Valley Lost Its Edge?" June 5, 2009, on the Internet at <http://abcnews.go.com/Business/Technology/story?id=7757923&page=1> (visited Jan. 8, 2010).

<sup>40</sup> Laurie J. Flynn, "Silicon Valley Rebounds, Led by Green Technology," *The New York Times*, Jan. 29, 2007, on the Internet at [www.nytimes.com/2007/01/29/technology/29valley.html](http://www.nytimes.com/2007/01/29/technology/29valley.html) (visited Jan. 8, 2010); and Katie Fehrenbacher, "Green Investing Is Tops in Silicon Valley," *Business Week*, Nov. 12, 2008, on the Internet at [www.businessweek.com/technology/content/nov2008/tc20081111\\_194666.htm](http://www.businessweek.com/technology/content/nov2008/tc20081111_194666.htm) (visited Jan. 8, 2010).

## Union Membership Attrition

Gary Chaison

In studies of the state of the labor unions, researchers often estimate *union membership attrition*—that is, the annual loss in union members caused by employment shifts. For unions to have net growth in the number of members, the losses must be offset by new union members, which are gotten through organizing.<sup>1</sup> This research summary examines the validity of common assumptions about membership attrition by measuring union membership changes in expanding and declining industries as well as the number of new members needed by the unions each year for either no change or an increase in union density of 1 percentage point. Union density, a widely used measure of union organization and influence, is calculated as the annual percentage of employed wage and salary workers who are union members.<sup>2</sup>

### Union membership change in growing and declining industries

A 1999 study by the AFL-CIO revealed that union membership was concentrated in declining industries and there were few new members in expanding industries. Over a 14-year period (1984–97), union members held 80 percent of the jobs lost in major declining industries, but gained only 5 percent of the new jobs in the fastest growing industries.

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In other words, where jobs were lost on net they were disproportionately union members' jobs, and where jobs were gained they were disproportionately nonunion jobs. Employment shifts were not adding to the unions' membership rolls, but rather decreasing them significantly.<sup>3</sup>

This relationship is examined with updated union membership data derived from the Current Population Survey (CPS), in which respondents were asked if they belonged to or were represented by unions or employee associations.<sup>4</sup> The industries used in the calculations here were selected from the CPS data on the basis of their rankings over time adding or losing jobs. Table 1, therefore, shows union membership changes in the 10 industry classifications that had the greatest employment increases over a recent 5-year period: 2003 to 2008.<sup>5</sup> Table 2 shows changes in membership in the 10 industry classifications that were declining the most during those years.

In the 10 industries with the greatest employment growth, 19 percent of new jobs were held by union members.<sup>6</sup> Among the industry classifications with the greatest decline, 24 percent of the jobs lost belonged to union members. These results are certainly not as dramatic as those uncovered by the AFL-CIO study, but they do enable us to conclude that union members held a larger proportion of jobs in the fastest declining industries than in the fastest growing industries. Consequently, as some industries expand over time and others contract, union membership declines.<sup>7</sup>

### Unchanged and minimally changing private sector union density

Analyses of union membership growth or decline usually estimate the number

of new members that unions would have to gain for private sector union density to remain unchanged from one year to another. This is done to illustrate how unions must “run fast” to simply remain in place—that is, how many new members unions need to acquire through organizing efforts to offset the outflow of members. For example, Richard B. Freeman calculated the annual loss in private union membership and concluded that “unions, like the Red Queen in *Through the Looking Glass* for whom ‘it takes all the running you can do, to keep in the same place,’ must organize large numbers of workers each year to maintain private sector density.”<sup>8</sup>

This report also estimates the number of union members needed to increase private sector union density by a minimal amount—a single percentage point. This represents a very low rate of growth and can be used to show how many new members unions would need each year to reverse the decline in density by just a small, seemingly unremarkable proportion. This is a benchmark that has been utilized before. For example, Marick C. Masters estimated that for unions to have no change in density in 1995, they would have to gain 315,000 members; but if they wanted to raise density by just 1 percentage point, they would have to add more than a million new members.<sup>9</sup> In 2004, Freeman concluded that in order “to balance off the loss of members due to the normal birth and death of firms and changes in employment in union and nonunion workplaces and maintain their 9-percent share of the private sector workforce in 2001, unions must add about 500,000 new members annually. To add a single percentage point to density,

**Table 1. Change in union membership for the 10 industry classifications with the greatest increases in employment, 2003–08**

(CIC <sup>1</sup> ) Industry classification	Change in employment	Change in union membership	Percent of new jobs held by union members
(7860) Elementary and secondary schools.....	940,849	367,204	39.0
(8680) Restaurants and other food services.....	709,133	44,304	6.0
(8180) Other health care services.....	662,301	61,508	9.0
(8190) Hospitals.....	579,454	158,058	27.0
(7380) Computer systems design and related services.....	367,029	4,736	1.0
(8370) Individual and family services.....	348,888	-2,230	-
(9470) Justice, public order and safety activities.....	347,914	153,603	44.0
(7290) Architectural, engineering, and related services.....	326,352	5,206	2.0
(490) Support activities for mining.....	253,997	5,790	2.0
(7870) College and universities, including junior colleges.....	238,246	98,271	41.0
Total.....	4,774,163	896,450	19.0

<sup>1</sup> Census Industry Code (CIC) is used in the Current Population Survey.  
NOTE: Dash indicates not applicable; union membership increased as employment decreased.

SOURCE: Union membership and coverage database, Current Population Survey, Bureau of Labor Statistics.

**Table 2. Change in union membership for the 10 industry classifications with the greatest decrease in employment, 2003–08**

(CIC <sup>1</sup> ) Industry classification	Change in employment	Change in union membership	Percent of lost jobs held by union members
(6680) Wired telecommunications carriers.....	-191,817	-56,864	30.0
(3570) Motor vehicles and motor vehicle equipment manufacturing.....	-171,066	-138,653	81.0
(6890) Non-depository credit and related activities.....	-170,710	-6,492	4.0
(1990) Printing and related support activities.....	-129,885	-1,341	1.0
(2370) Plastics product manufacturing.....	-129,627	-12,578	10.0
(7970) Offices of physicians.....	-129,323	3,244	-
(1680) Cut and sew apparel manufacturing.....	-97,859	-13,097	13.0
(4170) Professional and commercial equipment and supplies, merchant wholesalers.....	-86,065	2,963	-
(6070) Air transportation.....	-81,750	-55,132	67.0
(8270) Nursing care facilities.....	-80,371	-25,956	32.0
Total.....	-1,268,473	-303,906	24.0

<sup>1</sup> Census Industry Code (CIC) is used in the Current Population Survey.  
NOTE: Dash indicates not applicable; union membership increased as employment decreased.

SOURCE: Union membership and coverage database, Current Population Survey, Bureau of Labor Statistics.

unions must add close to 1 million new members.”<sup>10</sup>

Table 3 shows the annual membership increases that would be necessary for union density to remain unchanged and increase by 1 percentage point. The number of members needed for no change in union density varies widely, ranging from gains of 885,000 in 2000 to a loss of 160,000 in 2008. In other words, in 2008 (as well as in 2007), membership can de-

cline and density could have remain unchanged, primarily because of the decline of the labor force, the dominator in the union density equation. An increase in union density of just 1 percentage point, however, requires significant increases in union membership (ranging from 921,000 new members in 2008 to 1,509,000 in 2006). In 9 of the 10 years, unions had to gain more than 1 million new members to increase union density by

a single percentage point.

## Conclusion

The results of this analysis indicate the following: First, jobs in major declining industries are more often held by union members than jobs in expanding industries. Second, in the private sector, unions must organize large numbers of new members to increase union density by a single percentage

**Table 3. Union membership, union density and employment, private sector, 1998–2008**

Year	Employment (in thousands)	Union membership (in thousands)	Union density	Membership change needed for density to be unchanged from previous year (in thousands)	Membership change needed for density to increase 1 percentage point from previous year (in thousands)
1998 .....	98,329	9,306	9.5	–	–
1999 .....	100,025	9,419	9.4	83	1,083
2000 .....	101,801	9,418	9.0	885	1,170
2001 .....	101,605	9,113	9.0	31	1,048
2002 .....	100,581	8,651	8.6	400	1,406
2003 .....	102,648	8,452	8.2	376	1,402
2004 .....	103,584	8,205	7.9	289	1,325
2005 .....	105,508	8,255	7.8	80	1,135
2006 .....	107,846	7,981	7.4	431	1,509
2007 .....	108,714	8,114	7.5	–69	1,018
2008 .....	108,072	8,265	7.6	–160	921

Source: Current Population Survey, Bureau of Labor Statistics.

point. Unchanged union density is much more easily accomplished and sometimes can occur without mem-

bership gains. The review of two dimensions of union membership attrition suggests both the continuing loss

of members as employment shifts and the magnitude of membership growth necessary to outpace attrition. □

### Notes

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<sup>1</sup> Gary N. Chaison and Joseph B. Rose, “The Macrodeterminants of Unions Growth and Decline,” in George Strauss, Daniel G. Gallagher, and Jack Fiorito, eds., *The State of the Unions* (Madison, WI, Industrial Relations Research Association, 1991), pp. 3–45.

<sup>2</sup> Gary N. Chaison and Joseph B. Rose, “Linking Union Density and Union Effectiveness,” *Industrial Relations*, January 1996, pp. 78–105.

<sup>3</sup> Steven Greenhouse, “Union Leaders See Grim News in Labor Study,” *New York Times*, Oct. 13, 1999, A23. This report, which was overseen by David Chu, the AFL-CIO’s director of strategic research, was not published, but its findings were reported in the press.

<sup>4</sup> The Current Population Survey (CPS), a monthly sample survey of about 60,000 households that collects demographic and labor force status information on the civilian population of the United States, is one of the primary sources of information on the labor

force. The CPS is conducted by the Census Bureau for the Bureau of Labor Statistics.

<sup>5</sup> This period was selected because the industry classification system used for the CPS was revised in 2003; some industry content changed and some new industries (for example, newspaper publishing, services to buildings and dwellings) were introduced.

<sup>6</sup> Note that two of the fastest growing industries are dominated by public employees and, compared with the private sector, had a higher union density rate (for example, in 2008, union density was 7.6 percent in the private sector and 36.8 percent in the public sector; see *Union Members in 2008*, USDL 09–0095 (U.S. Department of Labor), January 28, 2009. If the two industries are excluded—elementary and secondary schools; and justice, public order and safety activities—only 11 percent of the newly created jobs are held by union members, which is less than half the rate (24 percent) of the union job losses in declining industries. Even with the exclusion of only these two categories, conservative estimates result, because some other large industry sectors, such as colleges and universities, and hospitals, have a substantial public employee presence.

<sup>7</sup> It is true that unions gained more members in the 10 industries with the greatest growth than they lost in the 10 industries with the greatest declines in employment (+896,450 and –303,906, respectively); however, unions had a net loss in private employment of 187,000 members from 2003 to 2008, as shown in table 3, which suggests that membership losses in *all* declining industries exceeded membership gains in *all* expanding industries. During that period, private union membership density fell from 8.2 percent to 7.6 percent.

<sup>8</sup> Richard B. Freeman, “Contraction and Expansion: The Divergence of Private Sector and Public Sector Unionism in the United States,” *The Journal of Economic Perspectives*, Spring 1988, pp. 63–88; see p. 73.

<sup>9</sup> Marick C. Masters, *Unions at the Crossroads: Strategic Membership, Financial, and Political Perspectives* (Wastport, CT, Quorum, 1997), p. 45.

<sup>10</sup> Richard B. Freeman, “The Road to Union Renaissance in the United States,” in Phanindra V. Wunnava, ed., *The Changing Role of Unions: New Forms of Representation*. (Armonk, N.Y., M.E. Sharp, 2004), pp. 3–4.

## Charitable donations on eBay

How do buyers respond to sellers who make charitable donations? The answer to this question may help corporations that are considering making donations in the hopes that their goodwill will increase the prices consumers are willing to pay for goods and services. Researchers Daniel Elfenbein, Raymond Fisman, and Brian McManus research the impact that charitable donations have on sales at the popular online auction site eBay.com in their working paper titled, “Reputation, Altruism, and the Benefits of Seller Charity in an Online Marketplace” (NBER Working Paper 15614, December 2009).

In 2003, eBay introduced its Giving Works (GW) program. The GW program allows eBay sellers to donate anywhere from 10 percent to 100 percent of the sale price of an item to a charity of the seller’s choice. The authors of the study analyzed data from over 150,000 auctions occurring between January 2005 and March 2008, and the study resulted in several interesting observations.

The researchers examined groups of products with nearly identical listings, the only difference between the listings being whether or not the sale of the product resulted in a contribution through GW. They found that, when 10 percent of the sale price went to charity, the probability that the item would sell increased by 6 percent and the sale price increased by 2 percent. Comparatively, when 100 percent of the sale price went to charity, the probability that the item would sell increased by 13

percent and the selling price increased by 6 percent.

The researchers also made the observation that donating through GW had a greater effect on sale probability and price for items sold by sellers who had lower feedback ratings. A seller’s feedback rating is based on buyer’s ratings from previous auctions and the number of transactions a seller has processed. The authors surmise that sellers with low feedback scores may acquire higher sales prices and have a higher sale probability when they donate to charity because a buyer may view the donation to GW as a signal of quality and/or reliability on the part of the seller. The question then became, Could participating in Giving Works be profitable for sellers who had a low feedback rating? The researchers found that, on average, a seller donating at the minimum 10 percent level would receive 6 percent less profit had he or she not participated in GW. In summary, the results of this study offer some insight into how consumers view companies that make charitable donations.

## The labor market for teachers

As the baby boomer generation approaches retirement, there is concern that its departure from the labor force will cause a shortage of teachers in America’s schools. To combat this shortage, economists need to know how much additional compensation teachers will have to be paid in order for the demand for teachers to be met. Economists Daniel Aaronson and Katherine Meckel explore the labor market for teachers in their article, “How will baby boomer retirements affect teacher labor markets?” (Federal Reserve Bank of Chicago, *Economic*

*Perspectives*, fourth quarter 2009).

Using Census Bureau data from 1940 to 2000 and from 2003 to 2004, along with 2003–04 data from the National Center of Education Statistics, Aaronson and Meckel developed a model to estimate teacher turnover rates and the demand for teachers in the coming years. They forecast that new full-time hires from 2009 to 2020 would fall within the range of 2.3 million to 4.5 million teachers. The turnover rate for teachers varies considerably on the basis of a school’s location (urban or rural), racial composition, and free-lunch rate. However, turnover can be attributed to a number of factors, primarily retirement, quitting, and moving into a part-time teaching role. Retirement is listed as the reason for leaving in approximately 32 percent of cases.

Aaronson and Meckel find that, though there will be a rise in demand for teachers in the coming years, this increase will not be substantially different from the increase in demand of recent decades. Integrating all of the variables into their model, the researchers estimate that, in order for the demand for teachers to be met, the average annual increase in their pay would have to exceed the current average annual increase by approximately 0.8 percent. In other words, by the year 2020 teachers would need to be paid a 10 percent cumulative raise. Pay will especially need to increase for teachers in communities with a large percentage of low-income or minority students, because schools in these communities typically have more difficulty recruiting and retaining teachers. However, economists warn that, although increasing pay would cause the number of teachers in the market to rise, it would not necessarily improve the quality of the teachers replacing the retiring baby boomers. □

### Pension dumping

*Pension Dumping: The Reasons, the Wreckage, the Stakes for Wall Street.* By Fran Hawthorne, New York, NY, Bloomberg Press, 2008, 288 pp., \$27.95/hardback.

Traditional pension plans, often referred to as "defined benefit" plans, are becoming less common in today's work environment. According to the BLS National Compensation Survey, participation for private industry workers in defined benefit plans dropped from 35 percent in 1990–91 to 20 percent in 2008 and this trend is likely to continue. In "*Pension Dumping: The Reasons, the Wreckage, the Stakes for Wall Street*," Fran Hawthorne discusses why so many companies are opting to drop their pension obligations. She also explains how the companies unload their plans, who this affects, and what this means for the future of pension plans.

Pension plans essentially became a tool to jettison aging workers in favor of younger, cheaper, more productive workers when they first came to prominence in the late nineteenth century. Pension plan enrollment peaked again after World War II, but this time as a tool to attract workers. The Federal Stabilization Act of 1942 placed a cap on wages, but exempted pension benefits, so companies began offering defined benefit pensions as an inducement to workers, touting them as "a tool to effectively shelter a portion of their (workers) compensation from taxes." As a result, the number of workers covered by a pension plan increased from 19 percent to 41 percent of the workforce between 1945 and 1960.

So, why are traditional pension plans disappearing? The author posits several reasons. First, the kinds of

companies that traditionally provided defined benefit plans (e.g., the steel, textile, and auto and airline industries), are now in financial trouble, at least partly because foreign competitors do not typically bear the burden of large "legacy costs" (providing pension payments for retired workers). Other tough, unexpected challenges have emerged as well. The September 11th terrorist attacks heavily affected the airline industry, and corporate scandals helped to bring down companies such as Enron and WorldCom. Systemic issues exacerbated already weak balance sheets of companies or even entire industries. Surviving companies had to do whatever was needed to stay afloat, including "cut costs by unloading their retirement plans." The move to defined contribution retirement plans also benefited companies by transferring the responsibility (and risk) of financial planning for retirement to the employee. Hawthorne notes the dramatic change that has occurred within a mere two decades since just defined contribution plans have been offered to new employees. In the late 1970s only 7 percent of the private workforce in America had a defined contributions plan, while 28 percent had a traditional plan; by the late 1990s these percentages had essentially reversed, with 27 percent of the private workforce in defined contribution plans and only 7 percent in traditional pension plans.

According to Hawthorne, a majority of companies filing for bankruptcy are now underfunded, meaning that the company has greater obligations to pay in retirement benefits than they have funds to cover them. This is true for a couple of reasons: 1) companies are not generating enough income, and therefore cannot contribute the required amount and 2) the pension plan's assets are losing money. The

standard allocation of investments for a pension plan had been 60 percent in blue-chip stocks and 40 percent in bonds, yielding a relatively stable rate of return. The 60–40 rule was replaced by the "prudent person" rule, permitting retirement fund managers to invest in riskier instruments. This has resulted in major losses since the 2008 economic recession began.

Hawthorne opines that changes in bankruptcy laws also assisted companies shed their pension liabilities into the Pension Benefit Guarantee Corporation, or PBGC. The PBGC, created in 1974, is charged with verifying that all retirement plans have enough assets to meet their obligations, and it guarantees that workers who were in failed plans receive up to 90 percent of the retirement benefit which was promised, or \$54,000 per year, whichever is less. Hawthorne argues that many times courts will allow failing companies to simply unload their pension obligations onto the PBGC because the objective of courts is to help companies emerge from bankruptcy rather than protect pensions.

So, who is hurt when pension plans are unloaded? Certainly current and retired workers, whose promised benefits are suddenly in jeopardy. But, interestingly, Hawthorne looks at the players who benefit from pension dumping as well. "Vulture investors," as they are sometimes cuttingly referred to, realize there is still enormous value in distressed properties if their pension obligations can be transferred to the PBGC. They justify their behavior by claiming that, without the equity injection they provide, the business would go under. Further, they claim the workers benefit as well, by getting up to 90 percent of the benefits promised them. Others, quite naturally, view this claim negatively. They see the vulture investors as



recklessly wiping out the workers' pension plans, all the while knowing that the PBGC will bail them out and raise premiums on companies playing by the rules to make up the difference.

Another institution adversely affected by the pension decline has been labor unions. Failing industries reduce the union's power to negotiate, forcing them to make tough decisions; for example, whether to give up benefits for retired workers or lay off active workers. Decreasing rates of union membership is also a factor. In the 1950s, the private sector union membership rate was 35 percent; however, by 2006, the rate had fallen to less than 8 percent. Hawthorne does not distinguish whether this is a cause or an effect of the weakening power of the unions.

Lastly, Hawthorne projects the future of traditional pension plans if no changes are made. As of 2007, there were 29,000 private sector retirement

plans still active. By 2012, the author predicts that close to 20 percent of them will be terminated. Hawthorne predicts that the next big sector to fail or dump its pension plans is the auto industry; as of mid 2009, Chrysler and General Motors, two of the big three auto companies, have filed for bankruptcy, although their retirement plans have not yet been terminated.

Hawthorne puts tremendous effort into each chapter, reviewing specific case studies of companies that sank into bankruptcy then restructured and unloaded their pension plans onto the PBGC. She also examines the laws that have allowed pension dumping to occur on the scale we see today. Readers will not be disappointed at the depth of the interviews with subject matter experts, government officials, union leaders, and even vulture investors. Her explanation of the history of the pension system is clear and educational, accentuating and

exposing the problems that are plaguing the pension world. The factual accounts flow smoothly, reading as though from a novel. The issues raised in the book are relevant and timely, especially with respect to the auto industry's decline.

One weakness is that the author offers few suggestions for improvement. Hawthorne argues, albeit briefly, that public policy must help remedy this situation; however, nothing concrete is suggested. Any way one dices the situation, one thing is inherently obvious—with the cost cutting mentality of the corporate world and the increased popularity of the defined contribution plans, the glory days of the traditional defined benefit plans may be a thing of the past. □

—Song Yi

Office of Compensation and  
Working Conditions  
Bureau of Labor Statistics

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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 are revised in the March 2007 *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 2002 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

Establishment survey data are annually adjusted to comprehensive counts of employment (called “benchmarks”). The March 2003 benchmark was introduced in February 2004 with the release of data for January 2004, published in the March 2004 issue of the *Review*. With the release in June 2003, CES completed a conversion from the Standard Industrial Classification (SIC) system to the North American Industry Classification System (NAICS) and 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 published 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 2001, publications presenting data from the Covered Employment and Wages program have switched to the 2002 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 million establishments compiled as part of the operations of the Quarterly Census of Em-

ployment 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 2002 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.

gations, 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 published 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 esti-**

**mated 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 stop-pages 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 2002 North American Industry 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, allow-

ances, 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 approximating 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/opus/mlr/2000/06/art1full.pdf](http://www.bls.gov/opus/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; some European countries do not include persons older than age 64 in their labor force measures, because a large portion of this population has retired. Adjustments are made 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 Technical Notes of *Comparative Civilian Labor Force Statistics, 10 Countries*, on the Internet at [www.bls.gov/fls/flscomparelf.htm](http://www.bls.gov/fls/flscomparelf.htm), and the Notes of *Unemployment rates in 10 countries, civilian labor force basis, approximating U.S. concepts, seasonally adjusted*, on the Internet at [www.bls.gov/fls/flsjec.pdf](http://www.bls.gov/fls/flsjec.pdf).

FOR ADDITIONAL INFORMATION on this series, contact the Division of Foreign Labor Statistics: (202) 691-5654 or [flshelp@bls.gov](mailto:flshelp@bls.gov).

## 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 the United States, Australia, Canada, Japan, the Republic of Korea, Singapore, Taiwan, and 10 European 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 United States, the output measure for the manufacturing sector is a chain-weighted index of real gross product originating (deflated value added) produced by the Bureau of Economic Analysis of the U.S. Department of Commerce. Most of the other economies now also use chain-weighted as opposed to fixed-year weights that are periodically updated.

To preserve the comparability of the U.S. measures with those of other economies, BLS uses gross product originating in manufacturing for the United States. The gross product originating series differs from the manufacturing output series that BLS pub-

lishes in its quarterly news releases on U.S. productivity and costs (and that underlies the measures that appear in tables 48 and 50 in this section). The quarterly measures are on a “sectoral output” basis, rather than a value-added basis. Sectoral output is gross output less intrasector 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 United Kingdom, compensation is reduced between 1967 and 1991 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. Unit labor costs can also be computed by dividing hourly compensation by output per hour, that is, by labor productivity.

### 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 ADDITIONAL INFORMATION on this series, go to <http://www.bls.gov/news.release/prod4.toc.htm> or contact the Divi-

sion of International Labor Comparison at (202) 691-5654.

## 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 accounts, 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	2007	2008	2007		2008				2009		
			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	66.0	65.9	66.0	66.0	66.1	66.1	65.9	65.6	65.8	65.4
Employment-population ratio.....	63.0	62.2	62.9	62.8	62.8	62.5	62.1	61.3	60.3	59.7	59.1
Unemployment rate.....	4.6	5.8	4.7	4.8	4.9	5.4	6.0	6.9	8.1	9.2	9.6
Men.....	4.7	6.1	4.8	4.9	5.1	5.6	6.5	7.5	8.8	10.4	10.8
16 to 24 years.....	11.6	14.4	11.8	12.1	12.7	13.5	14.9	16.5	18.0	20.0	20.4
25 years and older.....	3.6	4.8	3.6	3.7	3.9	4.2	5.1	6.0	7.4	8.8	9.4
Women.....	4.5	5.4	4.6	4.7	4.8	5.1	5.6	6.1	7.2	8.0	8.3
16 to 24 years.....	9.4	11.2	9.7	9.9	10.1	11.1	11.9	11.6	12.9	14.4	15.5
25 years and older.....	3.6	4.4	3.7	3.8	3.9	4.1	4.5	5.2	6.2	6.9	7.1
Employment, nonfarm (payroll data), in thousands: <sup>1</sup>											
Total nonfarm.....	137,598	137,066	137,652	138,152	137,814	137,356	136,732	135,074	133,000	131,715	130,947
Total private.....	115,380	114,566	115,389	115,783	115,373	114,834	114,197	112,542	110,457	109,182	108,544
Goods-producing.....	22,233	21,419	22,099	22,043	21,800	21,507	21,247	20,532	19,520	18,829	18,465
Manufacturing.....	13,879	13,431	13,796	13,777	13,643	13,505	13,322	12,902	12,296	11,877	11,719
Service-providing.....	115,366	115,646	115,553	116,109	116,014	115,849	115,485	114,542	113,480	112,886	112,482
State and local government.....											
Average hours:											
Total private.....	33.9	33.6	33.8	33.8	33.8	33.6	33.6	33.3	33.1	33.0	33.0
Manufacturing.....	41.2	40.8	41.3	41.2	41.2	40.9	40.5	39.9	39.4	39.5	39.8
Overtime.....	4.2	3.7	4.1	4.1	4.0	3.8	3.5	2.9	2.6	2.8	2.8
<b>Employment Cost Index<sup>1, 2, 3</sup></b>											
Total compensation:											
Civilian nonfarm <sup>4</sup> .....	3.3	2.6	1.0	.6	.8	.7	.8	.3	.4	.4	.5
Private nonfarm.....	3.0	2.4	.8	.6	.9	.7	.6	.2	.4	.3	.4
Goods-producing <sup>5</sup> .....	2.4	2.4	.5	.6	1.0	.7	.4	.3	.4	.3	.2
Service-providing <sup>5</sup> .....	3.2	2.5	.9	.6	.9	.7	.6	.3	.4	.3	.4
State and local government.....	4.1	3.0	1.8	.7	.5	.5	1.7	.3	.6	.5	1.0
Workers by bargaining status (private nonfarm):											
Union.....	2.0	2.8	.5	.7	.8	.8	.7	.6	1.0	.6	.6
Nonunion.....	3.2	2.4	.8	.6	.9	.7	.6	.2	.3	.2	.3

<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	2007	2008	2007		2008				2009		
			III	IV	I	II	III	IV	I	II	III
<b>Compensation data<sup>1,2,3</sup></b>											
Employment Cost Index—compensation:											
Civilian nonfarm.....	3.3	2.6	1.0	0.6	0.8	0.7	0.8	0.3	0.4	0.4	0.5
Private nonfarm.....	3.0	2.4	.8	.6	.9	.7	.6	.2	.4	.3	.4
Employment Cost Index—wages and salaries:											
Civilian nonfarm.....	3.4	2.7	1.0	.7	.8	.7	.8	.3	.4	.4	.5
Private nonfarm.....	3.3	2.6	.9	.6	.9	.7	.6	.3	.4	.3	.5
<b>Price data<sup>1</sup></b>											
Consumer Price Index (All Urban Consumers): All Items.....	2.8	3.8	.1	.7	1.7	2.5	0	-3.9	1.2	1.4	.1
Producer Price Index:											
Finished goods.....	3.9	6.3	.1	1.8	2.8	4.2	-1	-7.4	.2	3.0	-4
Finished consumer goods.....	4.5	7.4	.2	1.9	3.4	5.2	-4	-10.0	.3	4.1	-4
Capital equipment.....	1.8	2.8	-1	1.2	.7	.6	1.0	1.9	-.2	-.2	-.3
Intermediate materials, supplies, and components.....	4.1	10.5	.1	2.0	5.0	6.9	.7	-13.6	-2.1	2.7	1.6
Crude materials.....	12.1	21.5	-2.4	11.9	14.5	14.9	-15.6	-32.1	-7.2	12.9	-3.7
<b>Productivity data<sup>4</sup></b>											
Output per hour of all persons:											
Business sector.....	1.8	1.9	5.5	1.6	.2	3.1	.3	.8	.2	6.8	9.8
Nonfarm business sector.....	1.8	1.8	5.5	2.0	-.1	3.1	-.1	.8	.3	6.9	9.5
Nonfinancial corporations <sup>5</sup> .....	1.0	1.9	-1.1	5.3	-2.7	6.9	3.2	-1.4	-7.3	6.6	-

<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. 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—				
	2008		2009			2008		2009		
	III	IV	I	II	III	III	IV	I	II	III
Average hourly compensation: <sup>1</sup>										
All persons, business sector.....	4.5	2.6	-4.7	0.2	4.2	2.9	2.5	0.9	0.6	0.5
All persons, nonfarm business sector.....	4.5	2.9	-4.7	.3	3.8	3.1	2.6	.9	.7	.5
Employment Cost Index—compensation: <sup>2</sup>										
Civilian nonfarm <sup>3</sup> .....	.8	.3	.4	.4	.5	2.9	2.6	2.1	1.8	1.5
Private nonfarm.....	.6	.2	.4	.3	.4	2.8	2.4	1.9	1.5	1.2
Union.....	.7	.6	1.0	.6	.6	2.9	2.8	3.0	2.9	2.9
Nonunion.....	.6	.2	.3	.2	.3	2.8	2.4	1.8	1.2	.9
State and local government.....	1.7	.3	.6	.5	1.0	3.4	3.0	3.1	3.2	2.4
Employment Cost Index—wages and salaries: <sup>2</sup>										
Civilian nonfarm <sup>3</sup> .....	.8	.3	.4	.4	.5	3.1	2.7	2.2	1.8	1.5
Private nonfarm.....	.6	.3	.4	.3	.5	2.9	2.6	2.0	1.6	1.4
Union.....	.7	.7	.6	.7	.5	2.9	3.2	3.1	2.7	2.6
Nonunion.....	.6	.2	.4	.2	.4	3.0	2.5	1.9	1.4	1.1
State and local government.....	1.8	.3	.5	.5	.8	3.5	3.1	3.0	3.0	2.1

<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. Employment status of the population, by sex, age, race, and Hispanic origin, monthly data seasonally adjusted

[Numbers in thousands]

Employment status	Annual average		2008		2009											
	2008	2009	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	
<b>TOTAL</b>																
Civilian noninstitutional population <sup>1</sup>	233,788	235,801	234,828	235,035	234,739	234,913	235,086	235,271	235,452	235,655	235,870	236,087	236,322	236,550	236,743	
Civilian labor force	154,287	154,142	154,524	154,587	154,140	154,401	154,164	154,718	154,956	154,759	154,351	154,426	153,927	153,854	153,720	
Participation rate	66.0	65.4	65.8	65.8	65.7	65.7	65.6	65.8	65.8	65.7	65.4	65.4	65.1	65.0	64.9	
Employed	145,362	139,877	143,907	143,188	142,221	141,687	140,854	140,902	140,438	140,038	139,817	139,433	138,768	138,242	138,381	
Employment-population ratio <sup>2</sup>	62.2	59.3	61.3	60.9	60.6	60.3	59.9	59.9	59.6	59.4	59.3	59.1	58.7	58.4	58.5	
Unemployed	8,924	14,265	10,617	11,400	11,919	12,714	13,310	13,816	14,518	14,721	14,534	14,993	15,159	15,612	15,340	
Unemployment rate	5.8	9.3	6.9	7.4	7.7	8.2	8.6	8.9	9.4	9.5	9.4	9.7	9.8	10.1	10.0	
Not in the labor force	79,501	81,659	80,304	80,448	80,599	80,512	80,922	80,554	80,496	80,895	81,519	81,661	82,396	82,696	83,022	
<b>Men, 20 years and over</b>																
Civilian noninstitutional population <sup>1</sup>	104,453	105,493	104,978	105,083	104,902	104,999	105,095	105,196	105,299	105,412	105,530	105,651	105,780	105,906	106,018	
Civilian labor force	79,047	78,897	79,203	79,108	78,769	78,859	78,680	79,106	79,339	79,246	78,984	79,196	78,977	79,024	78,901	
Participation rate	75.7	74.8	75.4	75.3	75.1	75.1	74.9	75.2	75.3	75.2	74.8	75.0	74.7	74.6	74.4	
Employed	74,750	71,341	73,850	73,237	72,625	72,266	71,667	71,665	71,552	71,354	71,255	71,142	70,861	70,662	70,662	
Employment-population ratio <sup>2</sup>	71.6	67.6	70.3	69.7	69.2	68.8	68.2	68.1	68.0	67.7	67.5	67.3	67.0	66.7	66.7	
Unemployed	4,297	7,555	5,353	5,871	6,144	6,593	7,013	7,441	7,787	7,892	7,728	8,055	8,116	8,362	8,239	
Unemployment rate	5.4	9.6	6.8	7.4	7.8	8.4	8.9	9.4	9.8	10.0	9.8	10.2	10.3	10.6	10.4	
Not in the labor force	25,406	26,596	25,776	25,975	26,133	26,140	26,415	26,091	25,961	26,166	26,547	26,455	26,803	26,882	27,117	
<b>Women, 20 years and over</b>																
Civilian noninstitutional population <sup>1</sup>	112,260	113,265	112,731	112,825	112,738	112,824	112,908	112,999	113,089	113,189	113,296	113,405	113,522	113,636	113,737	
Civilian labor force	68,382	68,856	68,733	68,904	68,793	68,914	68,972	69,105	69,060	68,984	68,910	68,847	68,686	68,687	68,742	
Participation rate	60.9	60.8	61.0	61.1	61.0	61.1	61.1	61.2	61.1	60.9	60.8	60.7	60.5	60.4	60.4	
Employed	65,039	63,699	64,806	64,744	64,391	64,238	64,110	64,147	63,847	63,741	63,685	63,552	63,280	63,133	63,269	
Employment-population ratio <sup>2</sup>	57.9	56.2	57.5	57.4	57.1	56.9	56.8	56.8	56.5	56.3	56.2	56.0	55.7	55.6	55.6	
Unemployed	3,342	5,157	3,926	4,160	4,402	4,676	4,863	4,957	5,213	5,243	5,225	5,295	5,406	5,554	5,473	
Unemployment rate	4.9	7.5	5.7	6.0	6.4	6.8	7.1	7.2	7.5	7.6	7.6	7.7	7.9	8.1	8.0	
Not in the labor force	43,878	44,409	43,999	43,921	43,946	43,910	43,936	43,894	44,029	44,205	44,386	44,558	44,837	44,949	44,994	
<b>Both sexes, 16 to 19 years</b>																
Civilian noninstitutional population <sup>1</sup>	17,075	17,043	17,118	17,126	17,098	17,090	17,083	17,076	17,064	17,053	17,044	17,031	17,020	17,008	16,988	
Civilian labor force	6,858	6,390	6,589	6,575	6,578	6,628	6,512	6,507	6,557	6,529	6,457	6,383	6,264	6,143	6,077	
Participation rate	40.2	37.5	38.5	38.4	38.5	38.8	38.1	38.1	38.4	38.3	37.9	37.5	36.8	36.1	35.8	
Employed	5,573	4,837	5,251	5,207	5,205	5,183	5,077	5,089	5,039	4,943	4,877	4,740	4,627	4,448	4,450	
Employment-population ratio <sup>2</sup>	32.6	28.4	30.7	30.4	30.4	30.3	29.7	29.8	29.5	29.0	28.6	27.8	27.2	26.1	26.2	
Unemployed	1,285	1,552	1,338	1,368	1,373	1,445	1,435	1,418	1,518	1,586	1,581	1,643	1,637	1,696	1,627	
Unemployment rate	18.7	24.3	20.3	20.8	20.9	21.8	22.0	21.8	23.2	24.3	24.5	25.7	26.1	27.6	26.8	
Not in the labor force	10,218	10,654	10,529	10,551	10,519	10,462	10,571	10,569	10,507	10,525	10,586	10,648	10,756	10,865	10,911	
<b>White<sup>3</sup></b>																
Civilian noninstitutional population <sup>1</sup>	189,540	190,902	190,221	190,351	190,225	190,331	190,436	190,552	190,667	190,801	190,944	191,086	191,244	191,394	191,516	
Civilian labor force	125,635	125,644	125,893	125,792	125,524	125,835	125,659	126,108	126,326	126,088	125,911	126,038	125,581	125,567	125,258	
Participation rate	66.3	65.8	66.2	66.1	66.0	66.1	66.0	66.2	66.3	66.1	65.9	66.0	65.7	65.6	65.4	
Employed	119,126	114,996	118,018	117,335	116,709	116,427	115,663	115,896	115,451	115,102	114,984	114,784	114,215	113,754	113,669	
Employment-population ratio <sup>2</sup>	62.8	60.2	62.0	61.6	61.4	61.2	60.7	60.8	60.6	60.3	60.2	60.1	59.7	59.4	59.4	
Unemployed	6,509	10,648	7,875	8,458	8,815	9,408	9,996	10,213	10,874	10,986	10,927	11,254	11,366	11,813	11,589	
Unemployment rate	5.2	8.5	6.3	6.7	7.0	7.5	8.0	8.1	8.6	8.7	8.7	8.9	9.1	9.4	9.3	
Not in the labor force	63,905	65,258	64,328	64,559	64,701	64,496	64,777	64,443	64,342	64,713	65,033	65,048	65,663	65,827	66,258	
<b>Black or African American<sup>3</sup></b>																
Civilian noninstitutional population <sup>1</sup>	27,843	28,241	28,021	28,059	28,052	28,085	28,118	28,153	28,184	28,217	28,252	28,290	28,330	28,369	28,404	
Civilian labor force	17,740	17,632	17,708	17,797	17,741	17,692	17,543	17,795	17,716	17,665	17,651	17,596	17,455	17,516	17,660	
Participation rate	63.7	62.4	63.2	63.4	63.2	63.0	62.4	63.2	62.9	62.6	62.5	62.2	61.6	61.7	62.2	
Employed	15,953	15,025	15,676	15,646	15,463	15,296	15,176	15,119	15,066	15,048	15,050	14,914	14,754	14,763	14,904	
Employment-population ratio <sup>2</sup>	57.3	53.2	55.9	55.8	55.1	54.5	54.0	53.7	53.5	53.3	53.3	52.7	52.1	52.0	52.5	
Unemployed	1,788	2,606	2,031	2,150	2,278	2,396	2,367	2,676	2,650	2,617	2,600	2,682	2,701	2,754	2,757	
Unemployment rate	10.1	14.8	11.5	12.1	12.8	13.5	13.5	15.0	15.0	14.8	14.7	15.2	15.5	15.7	15.6	
Not in the labor force	10,103	10,609	10,313	10,262	10,311	10,393	10,575	10,358	10,467	10,552	10,601	10,694	10,875	10,853	10,744	

See footnotes at end of table.

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		2008		2009										
	2008	2009	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> .....	32,141	32,891	32,558	32,649	32,417	32,501	32,585	32,671	32,753	32,839	32,926	33,017	33,110	33,202	33,291
Civilian labor force.....	22,024	22,352	22,038	22,145	22,004	22,120	22,236	22,403	22,459	22,348	22,540	22,320	22,444	22,492	22,564
Participation rate.....	68.5	68.0	67.7	67.8	67.9	68.1	68.2	68.6	68.6	68.1	68.5	67.6	67.8	67.7	67.8
Employed.....	20,346	19,647	20,100	20,056	19,817	19,687	19,664	19,855	19,599	19,609	19,748	19,411	19,595	19,553	19,692
Employment-population ratio <sup>2</sup> .....	63.3	59.7	61.7	61.4	61.1	60.6	60.3	60.8	59.8	59.7	60.0	58.8	59.2	58.9	59.2
Unemployed.....	1,678	2,706	1,938	2,089	2,186	2,433	2,571	2,548	2,860	2,739	2,792	2,908	2,849	2,939	2,872
Unemployment rate.....	7.6	12.1	8.8	9.4	9.9	11.0	11.6	11.4	12.7	12.3	12.4	13.0	12.7	13.1	12.7
Not in the labor force.....	10,116	10,539	10,519	10,505	10,414	10,382	10,350	10,268	10,294	10,491	10,386	10,697	10,666	10,710	10,727

<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		2008		2009										
	2008	2009	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.
<b>Characteristic</b>															
Employed, 16 years and older.....	145,362	139,877	143,907	143,188	142,221	141,687	140,854	140,902	140,438	140,038	139,817	139,433	138,768	138,242	138,381
Men.....	77,486	73,670	76,407	75,812	75,118	74,756	74,072	74,107	73,974	73,727	73,613	73,436	73,120	72,844	72,794
Women.....	67,876	66,208	67,500	67,376	67,103	66,931	66,782	66,794	66,463	66,311	66,205	65,997	65,648	65,398	65,587
Married men, spouse present.....	45,860	43,998	45,628	45,155	44,694	44,449	44,451	44,424	44,214	44,242	43,955	43,847	43,656	43,401	43,336
Married women, spouse present.....	35,869	35,207	35,693	35,622	35,347	35,545	35,465	35,438	35,347	35,402	35,321	35,151	34,891	34,736	34,867
<b>Persons at work part time<sup>1</sup></b>															
All industries:															
Part time for economic reasons.....	5,875	8,913	7,389	8,090	7,897	8,672	9,023	8,888	9,048	8,962	8,808	9,077	9,158	9,240	9,225
Slack work or business conditions.....	4,169	6,648	5,484	6,068	5,833	6,511	6,839	6,699	6,788	6,779	6,831	6,895	6,815	6,882	6,684
Could only find part-time work.....	1,389	1,966	1,593	1,617	1,689	1,771	1,847	1,819	1,917	1,970	1,826	2,065	2,081	2,084	2,238
Part time for noneconomic reasons.....	19,343	18,710	18,965	18,964	18,879	18,861	18,829	18,976	18,848	18,715	18,993	18,768	18,590	18,632	18,354
Nonagricultural industries:															
Part time for economic reasons.....	5,773	8,791	7,266	7,972	7,755	8,584	8,910	8,795	8,894	8,825	8,664	8,946	8,983	9,158	9,137
Slack work or business conditions.....	4,097	6,556	5,385	5,990	5,713	6,455	6,761	6,634	6,670	6,685	6,713	6,797	6,695	6,797	6,616
Could only find part-time work.....	1,380	1,955	1,585	1,616	1,676	1,771	1,848	1,826	1,910	1,964	1,789	2,046	2,063	2,033	2,241
Part time for noneconomic reasons.....	19,005	18,372	18,674	18,647	18,563	18,556	18,494	18,595	18,478	18,358	18,610	18,383	18,251	18,317	18,066

<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		2008		2009										
	2008	2009	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.
<b>Characteristic</b>															
Total, 16 years and older.....	5.8	9.3	6.9	7.4	7.7	8.2	8.6	8.9	9.4	9.5	9.4	9.7	9.8	10.1	10.0
Both sexes, 16 to 19 years.....	18.7	24.3	20.3	20.8	20.9	21.8	22.0	21.8	23.2	24.3	24.5	25.7	26.1	27.6	26.8
Men, 20 years and older.....	5.4	9.6	6.8	7.4	7.8	8.4	8.9	9.4	9.8	10.0	9.8	10.2	10.3	10.6	10.4
Women, 20 years and older.....	4.9	7.5	5.7	6.0	6.4	6.8	7.1	7.2	7.5	7.6	7.6	7.7	7.9	8.1	8.0
White, total <sup>1</sup> .....	5.2	8.5	6.3	6.7	7.0	7.5	8.0	8.1	8.6	8.7	8.7	8.9	9.1	9.4	9.3
Both sexes, 16 to 19 years.....	16.8	21.8	18.5	18.9	18.6	19.3	20.3	20.0	20.7	21.7	22.5	24.3	23.3	25.1	23.0
Men, 16 to 19 years.....	19.1	25.2	21.4	21.5	22.0	22.4	23.5	22.9	24.6	24.4	26.1	28.1	26.8	28.6	26.0
Women, 16 to 19 years.....	14.4	18.4	15.4	16.3	15.0	16.3	17.1	17.1	16.6	19.0	18.7	20.2	19.7	21.4	20.0
Men, 20 years and older.....	4.9	8.8	6.1	6.6	7.0	7.6	8.1	8.5	9.0	9.2	9.1	9.3	9.6	9.9	9.8
Women, 20 years and older.....	4.4	6.8	5.2	5.7	5.9	6.1	6.5	6.4	6.9	6.8	6.8	7.0	7.1	7.4	7.4
Black or African American, total <sup>1</sup> .....	10.1	14.8	11.5	12.1	12.8	13.5	13.5	15.0	15.0	14.8	14.7	15.2	15.5	15.7	15.6
Both sexes, 16 to 19 years.....	31.2	39.5	31.7	33.3	36.8	38.9	33.1	35.1	39.9	38.5	36.2	35.0	41.7	42.1	49.8
Men, 16 to 19 years.....	35.9	46.0	42.5	35.3	44.4	45.6	41.7	41.7	46.2	44.8	39.2	46.8	50.8	43.6	57.1
Women, 16 to 19 years.....	26.8	33.4	21.9	31.3	30.1	32.5	26.0	28.2	34.8	33.1	33.5	24.5	32.7	40.7	41.4
Men, 20 years and older.....	10.2	16.3	12.4	13.8	14.4	15.1	15.6	17.2	16.7	16.4	16.0	17.0	16.5	17.0	16.8
Women, 20 years and older.....	8.1	11.5	9.2	8.9	9.4	10.1	10.1	11.4	11.3	11.5	11.9	12.2	12.5	12.5	11.7
Hispanic or Latino ethnicity.....	7.6	12.1	8.8	9.4	9.9	11.0	11.6	11.4	12.7	12.3	12.4	13.0	12.7	13.1	12.7
Married men, spouse present.....	3.4	6.6	4.3	4.6	5.1	5.6	6.0	6.3	6.7	6.9	6.9	7.1	7.3	7.5	7.5
Married women, spouse present.....	3.6	5.5	4.4	4.6	4.8	5.2	5.5	5.5	5.6	5.6	5.5	5.5	5.8	5.9	5.7
Full-time workers.....	5.8	10.0	7.1	7.7	8.1	8.8	9.3	9.6	10.2	10.3	10.2	10.5	10.7	11.1	11.0
Part-time workers.....	5.5	6.0	5.8	5.9	5.9	5.8	5.9	6.0	6.1	6.0	6.0	6.3	6.4	6.1	5.6
<b>Educational attainment<sup>2</sup></b>															
Less than a high school diploma.....	9.0	14.6	10.9	11.2	12.4	13.0	13.8	14.9	15.4	15.4	15.3	15.5	15.0	15.5	15.0
High school graduates, no college <sup>3</sup> .....	5.7	9.7	7.0	7.8	8.1	8.4	9.1	9.4	10.0	9.8	9.4	9.8	10.8	11.2	10.4
Some college or associate degree.....	4.6	8.0	5.6	5.9	6.4	7.1	7.3	7.5	7.8	8.0	8.0	8.2	8.6	9.0	9.0
Bachelor's degree and higher <sup>4</sup> .....	2.6	4.6	3.3	3.7	3.9	4.2	4.4	4.4	4.8	4.7	4.7	4.7	4.8	4.7	4.9

<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		2008		2009										
	2008	2009	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.
Less than 5 weeks.....	2,932	3,165	3,312	3,294	3,633	3,364	3,314	3,284	3,219	3,152	3,181	2,992	2,938	3,131	2,774
5 to 14 weeks.....	2,804	3,828	3,307	3,535	3,622	3,961	4,032	3,962	4,300	3,994	3,539	4,093	3,838	3,671	3,517
15 weeks and over.....	3,188	7,272	3,990	4,599	4,762	5,369	5,815	6,296	7,013	7,844	7,819	7,849	8,405	8,804	8,976
15 to 26 weeks.....	1,427	2,775	1,776	1,987	2,073	2,405	2,574	2,571	2,983	3,404	2,847	2,825	2,958	3,184	3,075
27 weeks and over.....	1,761	4,496	2,214	2,612	2,689	2,964	3,241	3,725	4,030	4,440	4,972	5,024	5,447	5,620	5,901
Mean duration, in weeks.....	17.9	24.4	18.7	19.6	19.9	20.0	20.8	21.8	22.9	24.4	25.3	25.2	26.5	27.2	28.6
Median duration, in weeks.....	9.4	15.1	9.9	10.7	10.6	11.4	11.9	13.1	14.9	18.2	15.9	15.5	17.8	19.0	20.2

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		2008		2009										
	2008	2009	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.
Job losers <sup>1</sup> .....	4,789	9,160	6,266	6,729	7,251	7,878	8,434	8,867	9,428	9,562	9,549	9,814	10,236	10,261	9,965
On temporary layoff.....	1,176	1,630	1,442	1,550	1,468	1,519	1,581	1,638	1,842	1,741	1,670	1,704	1,918	1,671	1,548
Not on temporary layoff.....	3,614	7,530	4,824	5,179	5,784	6,359	6,853	7,229	7,586	7,821	7,880	8,110	8,318	8,590	8,418
Job leavers.....	896	882	924	1,007	912	820	884	887	909	822	882	835	869	909	929
Reentrants.....	2,472	3,187	2,697	2,802	2,792	2,912	3,017	3,127	3,200	3,322	3,306	3,294	3,255	3,461	3,221
New entrants.....	766	1,035	735	820	792	1,016	881	919	977	969	994	1,096	1,134	1,114	1,270
<b>Percent of unemployed</b>															
Job losers <sup>1</sup> .....	53.7	64.2	59.0	59.2	61.7	62.4	63.8	64.3	65.0	65.2	64.8	65.3	66.1	65.2	64.8
On temporary layoff.....	13.2	11.4	13.6	13.6	12.5	12.0	12.0	11.9	12.7	11.9	11.3	11.3	12.4	10.6	10.1
Not on temporary layoff.....	40.5	52.8	45.4	45.6	49.2	50.4	51.9	52.4	52.3	53.3	53.5	53.9	53.7	54.6	54.7
Job leavers.....	10.0	6.2	8.7	8.9	7.8	6.5	6.7	6.4	6.3	5.6	6.0	5.6	5.6	5.8	6.0
Reentrants.....	27.7	22.3	25.4	24.7	23.8	23.1	22.8	22.7	22.0	22.6	22.4	21.9	21.0	22.0	20.9
New entrants.....	8.6	7.3	6.9	7.2	6.7	8.0	6.7	6.7	6.7	6.6	6.8	7.3	7.3	7.1	8.3
<b>Percent of civilian labor force</b>															
Job losers <sup>1</sup> .....	3.1	5.9	4.1	4.4	4.7	5.1	5.5	5.7	6.1	6.2	6.2	6.4	6.6	6.7	6.5
Job leavers.....	.6	.6	.6	.7	.6	.5	.6	.6	.6	.5	.6	.5	.6	.6	.6
Reentrants.....	1.6	2.1	1.7	1.8	1.8	1.9	2.0	2.0	2.1	2.1	2.1	2.1	2.1	2.2	2.1
New entrants.....	.5	.7	.5	.5	.5	.7	.6	.6	.6	.6	.6	.7	.7	.7	.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		2008		2009										
	2008	2009	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.
Total, 16 years and older.....	5.8	9.3	6.9	7.4	7.7	8.2	8.6	8.9	9.4	9.5	9.4	9.7	9.8	10.1	10.0
16 to 24 years.....	12.8	17.6	14.0	14.9	15.0	15.8	16.4	16.7	17.5	17.9	18.0	18.3	18.3	19.2	19.1
16 to 19 years.....	18.7	24.3	20.3	20.8	20.9	21.8	22.0	21.8	23.2	24.3	24.5	25.7	26.1	27.6	26.8
16 to 17 years.....	22.1	25.9	23.6	23.7	21.5	23.1	23.9	23.4	23.8	25.5	26.0	26.5	28.2	30.2	28.8
18 to 19 years.....	16.8	23.4	18.5	19.4	20.3	21.2	21.1	21.7	23.2	23.8	23.3	25.2	24.4	25.7	26.1
20 to 24 years.....	10.2	14.7	11.3	12.4	12.4	13.2	14.0	14.6	15.1	15.2	15.3	15.1	15.0	15.6	15.9
25 years and older.....	4.6	7.9	5.7	6.1	6.5	7.0	7.3	7.6	8.1	8.2	8.1	8.4	8.6	8.7	8.5
25 to 54 years.....	4.8	8.3	5.9	6.4	6.9	7.3	7.7	7.9	8.5	8.5	8.4	8.8	9.1	9.2	8.9
55 years and older.....	3.8	6.6	4.8	5.0	5.3	5.7	6.2	6.4	6.7	7.0	6.7	6.8	6.8	7.0	7.1
Men, 16 years and older.....	6.1	10.3	7.5	8.1	8.5	9.0	9.6	10.1	10.5	10.6	10.5	11.0	11.0	11.4	11.2
16 to 24 years.....	14.4	20.1	16.2	17.0	17.3	17.9	19.2	19.6	20.3	19.9	20.3	20.8	20.9	22.2	21.8
16 to 19 years.....	21.2	27.8	23.8	23.2	24.4	25.0	25.9	25.9	27.1	26.5	27.9	29.9	29.9	31.0	30.4
16 to 17 years.....	25.2	28.7	28.4	26.5	26.3	26.6	28.2	26.4	26.5	26.5	28.5	29.6	31.1	33.5	30.5
18 to 19 years.....	19.0	27.4	21.3	21.8	23.3	24.9	24.8	25.7	28.0	27.1	27.3	29.9	28.3	28.9	30.5
20 to 24 years.....	11.4	17.0	13.0	14.4	14.4	14.9	16.5	17.0	17.4	17.2	17.1	17.0	17.2	18.6	18.3
25 years and older.....	4.8	8.8	6.0	6.6	7.1	7.7	8.0	8.5	9.0	9.2	9.1	9.5	9.7	9.7	9.5
25 to 54 years.....	5.0	9.2	6.2	7.0	7.5	8.1	8.4	8.9	9.5	9.6	9.6	10.0	10.3	10.2	10.0
55 years and older.....	3.9	7.0	5.2	5.2	5.5	6.1	6.4	6.8	7.0	7.8	7.4	7.5	7.3	7.8	7.8
Women, 16 years and older.....	5.4	8.1	6.2	6.6	6.9	7.3	7.6	7.6	8.1	8.3	8.2	8.3	8.5	8.8	8.6
16 to 24 years.....	11.2	14.9	11.6	12.7	12.5	13.6	13.4	13.6	14.5	15.8	15.6	15.6	15.5	15.9	16.2
16 to 19 years.....	16.2	20.7	16.6	18.3	17.3	18.6	18.2	17.6	19.1	22.1	20.9	21.4	22.2	24.0	23.1
16 to 17 years.....	19.1	23.1	19.1	20.9	16.5	19.9	19.7	20.4	21.2	24.6	23.6	23.3	25.1	26.8	27.1
18 to 19 years.....	14.3	19.4	15.5	16.8	17.3	17.3	17.4	17.5	18.0	20.3	19.2	20.2	20.2	22.4	21.5
20 to 24 years.....	8.8	12.3	9.3	10.2	10.3	11.4	11.3	11.8	12.5	12.9	13.2	13.1	12.7	12.4	13.3
25 years and older.....	4.4	6.9	5.3	5.5	5.9	6.2	6.6	6.6	7.0	7.0	7.0	7.1	7.3	7.6	7.3
25 to 54 years.....	4.6	7.2	5.5	5.8	6.1	6.5	6.8	6.8	7.2	7.2	7.2	7.3	7.7	8.0	7.5
55 years and older <sup>1</sup> .....	3.7	6.0	4.3	4.3	5.4	5.3	5.8	5.4	5.8	6.4	7.1	6.7	6.3	6.1	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. 2008	Sept. 2009 <sup>P</sup>	Oct. 2009 <sup>P</sup>	State	Oct. 2008	Sept. 2009 <sup>P</sup>	Oct. 2009 <sup>P</sup>
Alabama.....	5.7	10.7	10.9	Missouri.....	6.5	9.5	9.3
Alaska.....	6.8	8.3	8.7	Montana.....	4.8	6.7	6.4
Arizona.....	6.2	9.1	9.3	Nebraska.....	3.6	4.9	4.9
Arkansas.....	5.4	7.1	7.6	Nevada.....	7.7	13.3	12.9
California.....	8.0	12.3	12.5	New Hampshire.....	4.0	7.2	6.8
Colorado.....	5.3	7.0	7.0	New Jersey.....	6.0	9.8	9.7
Connecticut.....	6.1	8.4	8.8	New Mexico.....	4.5	7.7	7.8
Delaware.....	5.5	8.3	8.6	New York.....	5.9	8.9	9.0
District of Columbia.....	7.7	11.4	11.9	North Carolina.....	7.0	10.8	10.9
Florida.....	6.9	11.1	11.3	North Dakota.....	3.2	4.1	4.2
Georgia.....	6.9	10.1	10.1	Ohio.....	6.9	10.1	10.5
Hawaii.....	4.6	7.2	7.3	Oklahoma.....	4.2	6.8	7.8
Idaho.....	5.6	8.8	9.0	Oregon.....	7.2	11.3	11.3
Illinois.....	6.8	10.5	11.0	Pennsylvania.....	5.8	8.8	8.9
Indiana.....	6.4	9.7	9.8	Rhode Island.....	8.8	13.0	12.9
Iowa.....	4.3	6.6	6.6	South Carolina.....	7.8	11.7	12.0
Kansas.....	4.7	6.9	6.7	South Dakota.....	3.2	4.8	5.0
Kentucky.....	6.9	10.9	11.3	Tennessee.....	6.9	10.5	10.5
Louisiana.....	5.5	7.4	7.4	Texas.....	5.3	8.2	8.3
Maine.....	5.7	8.5	8.2	Utah.....	3.5	6.2	6.5
Maryland.....	4.8	7.2	7.3	Vermont.....	4.9	6.7	6.5
Massachusetts.....	5.8	9.3	8.9	Virginia.....	4.3	6.6	6.6
Michigan.....	9.1	15.3	15.1	Washington.....	5.9	9.1	9.3
Minnesota.....	5.6	7.4	7.6	West Virginia.....	4.3	8.9	8.5
Mississippi.....	7.2	9.3	9.8	Wisconsin.....	4.9	8.4	8.4
				Wyoming.....	3.2	6.8	7.4

<sup>P</sup> = preliminary

**11. Employment of workers on nonfarm payrolls by State, seasonally adjusted**

State	Oct. 2008	Sept. 2009 <sup>P</sup>	Oct. 2009 <sup>P</sup>	State	Oct. 2008	Sept. 2009 <sup>P</sup>	Oct. 2009 <sup>P</sup>
Alabama.....	2,156,708	2,086,988	2,080,140	Missouri.....	3,009,009	3,017,740	3,000,046
Alaska.....	358,776	357,945	357,889	Montana.....	507,385	499,911	496,472
Arizona.....	3,172,773	3,153,304	3,142,551	Nebraska.....	998,493	982,358	979,583
Arkansas.....	1,375,942	1,366,246	1,369,261	Nevada.....	1,393,529	1,401,612	1,386,954
California.....	18,507,296	18,391,536	18,340,446	New Hampshire.....	738,173	737,721	737,980
Colorado.....	2,739,724	2,671,352	2,660,555	New Jersey.....	4,507,366	4,536,920	4,526,252
Connecticut.....	1,884,751	1,885,856	1,900,582	New Mexico.....	964,525	958,551	957,693
Delaware.....	444,830	431,321	428,357	New York.....	9,716,598	9,734,029	9,729,641
District of Columbia.....	333,261	327,883	329,809	North Carolina.....	4,585,464	4,532,856	4,529,162
Florida.....	9,316,739	9,199,905	9,183,076	North Dakota.....	371,007	363,539	362,349
Georgia.....	4,859,703	4,733,468	4,717,661	Ohio.....	5,963,400	5,883,144	5,886,475
Hawaii.....	656,594	646,671	645,628	Oklahoma.....	1,760,010	1,785,978	1,781,426
Idaho.....	758,904	752,703	753,774	Oregon.....	1,970,671	1,958,007	1,953,078
Illinois.....	6,654,479	6,620,920	6,639,555	Pennsylvania.....	6,435,447	6,367,314	6,339,778
Indiana.....	3,232,075	3,142,168	3,107,954	Rhode Island.....	566,548	570,444	569,817
Iowa.....	1,676,807	1,691,822	1,685,358	South Carolina.....	2,172,654	2,171,582	2,170,975
Kansas.....	1,503,780	1,530,716	1,526,472	South Dakota.....	446,385	446,668	446,677
Kentucky.....	2,051,049	2,067,713	2,072,191	Tennessee.....	3,049,195	3,002,696	2,986,985
Louisiana.....	2,107,103	2,058,467	2,065,775	Texas.....	11,791,846	12,061,992	12,059,825
Maine.....	707,347	701,755	700,499	Utah.....	1,388,331	1,365,495	1,361,012
Maryland.....	3,002,801	2,947,528	2,934,716	Vermont.....	356,800	357,100	356,694
Massachusetts.....	3,427,549	3,442,524	3,443,540	Virginia.....	4,145,775	4,139,165	4,134,999
Michigan.....	4,911,650	4,833,022	4,850,045	Washington.....	3,501,893	3,566,451	3,543,201
Minnesota.....	2,948,600	2,955,872	2,950,414	West Virginia.....	804,426	791,596	789,582
Mississippi.....	1,314,948	1,280,251	1,281,915	Wisconsin.....	3,084,475	3,066,471	3,047,729
				Wyoming.....	293,959	292,277	291,748

NOTE: Some data in this table may differ from data published elsewhere because of the continual updating of the database.

<sup>P</sup> = preliminary

Current Labor Statistics: Labor Force Data

12. Employment of workers on nonfarm payrolls by industry, monthly data seasonally adjusted

[In thousands]

Industry	Annual average		2008		2009										
	2008	2009	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct. <sup>P</sup>	Nov. <sup>P</sup>
<b>TOTAL NONFARM.....</b>	137,066	131,997	135,755	135,074	134,333	133,652	133,000	132,481	132,178	131,715	131,411	131,257	131,118	130,991	130,995
<b>TOTAL PRIVATE.....</b>	114,566	109,482	113,212	112,542	111,793	111,105	110,457	109,865	109,573	109,182	108,936	108,770	108,670	108,507	108,507
<b>GOODS-PRODUCING.....</b>	21,419	18,938	20,814	20,532	20,127	19,832	19,520	19,253	19,041	18,829	18,713	18,583	18,488	18,379	18,321
<b>Natural resources and</b>															
<b>mining.....</b>	774	727	793	789	781	771	754	740	731	721	715	706	705	700	704
Logging.....	57.0	51.8	56.6	55.7	55.2	54.5	51.9	51.4	51.3	51.4	51.1	51.2	51.9	50.5	50.7
Mining.....	717.0	674.9	736.8	733.3	725.3	716.4	701.9	689.0	679.6	669.3	663.8	655.1	653.2	649.9	652.8
Oil and gas extraction.....	161.6	166.6	167.4	169.4	167.7	167.8	166.9	167.0	168.1	166.9	165.5	165.2	166.1	165.4	166.2
Mining, except oil and gas <sup>1</sup> .....	227.7	218.0	230.7	229.2	227.9	225.7	222.8	220.4	219.4	217.4	215.6	214.3	214.4	212.4	213.6
Coal mining.....	80.6	80.2	84.3	84.5	84.9	84.1	83.3	82.4	81.4	80.3	79.0	78.9	78.5	77.3	76.9
Support activities for mining.....	327.7	290.3	338.7	334.7	329.7	322.9	312.2	301.6	292.1	285.0	282.7	275.6	272.7	272.1	273.0
<b>Construction.....</b>	7,215	6,234	6,939	6,841	6,706	6,593	6,470	6,367	6,310	6,231	6,162	6,096	6,043	5,987	5,960
Construction of buildings.....	1,659.3	1,434.2	1,588.4	1,572.9	1,536.9	1,509.5	1,481.5	1,461.7	1,451.2	1,433.4	1,415.1	1,406.1	1,391.9	1,381.6	1,381.1
Heavy and civil engineering.....	970.2	866.1	942.5	933.2	926.6	919.0	907.2	885.5	876.1	862.1	854.4	849.2	841.2	827.0	829.0
Specialty trade contractors.....	4,585.3	3,933.5	4,408.5	4,335.2	4,242.2	4,164.4	4,081.4	4,019.6	3,983.1	3,935.9	3,892.4	3,840.2	3,810.0	3,778.5	3,750.1
<b>Manufacturing.....</b>	13,431	11,978	13,082	12,902	12,640	12,468	12,296	12,146	12,000	11,877	11,836	11,781	11,740	11,692	11,657
Production workers.....	9,649	8,420	9,322	9,174	8,946	8,804	8,654	8,532	8,409	8,316	8,301	8,265	8,243	8,211	8,192
<b>Durable goods.....</b>	5,986	7,360	8,216	8,085	7,881	7,753	7,620	7,490	7,372	7,271	7,248	7,204	7,169	7,134	7,105
Production workers.....	5,986	5,046	5,741	5,633	5,458	5,352	5,239	5,130	5,034	4,957	4,924	4,906	4,882	4,863	
Wood products.....	459.6	372.9	429.8	416.2	403.9	390.4	388.4	382.4	373.5	367.1	364.3	362.2	361.6	362.0	361.6
Nonmetallic mineral products	468.1	408.5	450.1	441.2	434.3	425.8	417.0	415.5	410.7	406.1	405.5	402.6	400.9	395.7	394.5
Primary metals.....	443.3	369.9	429.8	419.6	409.3	395.2	386.4	376.2	367.8	360.3	358.8	359.3	357.3	356.8	
Fabricated metal products.....	1,528.3	1,320.4	1,486.3	1,461.5	1,425.3	1,399.0	1,370.3	1,344.1	1,325.9	1,308.8	1,295.1	1,288.3	1,280.2	1,275.1	1,270.6
Machinery.....	1,185.6	1,024.9	1,162.7	1,150.2	1,126.0	1,100.8	1,070.5	1,051.4	1,032.0	1,016.3	1,003.2	997.5	989.8	981.3	974.1
Computer and electronic															
products <sup>1</sup> .....	1,247.6	1,147.7	1,233.3	1,223.7	1,212.9	1,196.9	1,187.1	1,171.1	1,156.1	1,142.4	1,134.5	1,125.6	1,120.2	1,114.3	1,108.3
Computer and peripheral															
equipment.....	182.8	165.1	181.8	180.0	180.3	175.5	173.5	167.8	164.2	162.7	162.4	160.5	160.4	159.1	158.1
Communications equipment.....	129.0	126.9	129.5	129.1	129.6	129.0	128.5	127.8	127.4	126.5	126.3	125.7	126.1	125.0	124.0
Semiconductors and															
electronic components.....	432.4	378.8	423.2	417.4	410.5	403.3	397.6	389.2	382.8	375.6	371.0	367.6	365.2	363.7	362.6
Electronic instruments.....	441.6	423.3	438.8	437.5	433.8	431.9	430.9	431.1	427.2	424.4	422.2	420.0	417.3	415.5	412.7
Electrical equipment and															
appliances.....	424.9	379.2	417.5	412.0	406.1	399.1	389.7	382.0	378.4	377.0	374.0	372.3	371.8	368.0	365.1
Transportation equipment.....	1,606.5	1,352.2	1,532.5	1,501.8	1,423.5	1,423.7	1,400.4	1,365.9	1,335.3	1,309.6	1,339.0	1,330.0	1,326.9	1,326.7	1,320.1
Furniture and related															
products.....	481.0	390.8	449.6	440.6	428.6	417.4	408.8	401.0	394.4	388.1	382.7	378.2	374.5	371.5	372.7
Miscellaneous manufacturing	630.8	593.1	624.2	618.4	611.0	604.5	601.1	600.4	597.4	595.1	590.9	587.7	585.8	582.3	580.7
<b>Nondurable goods.....</b>	4,955	4,618	4,866	4,817	4,759	4,715	4,676	4,656	4,628	4,606	4,588	4,577	4,571	4,558	4,552
Production workers.....	3,663	3,374	3,581	3,541	3,488	3,452	3,415	3,402	3,375	3,359	3,344	3,341	3,337	3,329	3,329
Food manufacturing.....	1,484.8	1,471.8	1,489.0	1,477.6	1,470.7	1,467.2	1,464.4	1,474.9	1,471.7	1,473.8	1,473.9	1,476.4	1,476.3	1,473.9	1,471.0
Beverages and tobacco															
products.....	199.0	190.4	196.4	195.8	194.2	191.3	191.6	190.9	190.5	190.0	189.4	189.8	189.7	189.8	189.2
Textile mills.....	151.0	125.1	140.6	136.8	133.6	130.0	128.2	127.3	126.1	124.5	122.5	122.3	121.8	121.1	121.7
Textile product mills.....	147.5	127.6	143.5	141.2	137.4	134.2	129.3	127.5	127.0	126.7	125.9	125.5	125.8	124.7	123.7
Apparel.....	198.4	168.3	187.1	183.5	178.9	176.3	173.8	169.9	170.2	165.8	166.7	165.4	163.7	163.4	162.7
Leather and allied products.....	33.6	30.9	32.6	32.6	32.4	31.9	31.7	31.7	31.5	30.8	31.3	30.6	30.2	29.6	29.8
Paper and paper products.....	445.8	410.2	437.1	433.4	427.3	422.5	418.3	415.1	410.5	409.1	407.2	405.7	405.4	402.1	401.0
Printing and related support															
activities.....	594.1	524.3	574.1	567.0	558.1	549.2	541.5	534.4	529.6	522.8	518.4	513.7	511.4	508.3	503.6
Petroleum and coal products.....	117.1	114.2	117.2	116.9	114.2	114.6	114.5	114.6	114.5	114.5	114.3	114.0	114.2	113.7	114.2
Chemicals.....	849.8	812.3	842.6	837.1	832.7	828.2	823.4	818.9	814.9	811.0	807.4	803.4	802.5	802.3	804.9
Plastics and rubber products.....	734.2	642.8	705.9	694.9	679.7	669.3	659.0	651.1	641.4	637.1	631.3	630.4	629.5	629.1	630.4
<b>SERVICE-PROVIDING.....</b>	115,646	113,059	114,941	114,542	114,206	113,820	113,480	113,228	113,137	112,886	112,698	112,674	112,630	112,612	112,674
<b>PRIVATE SERVICE-</b>															
<b>PROVIDING.....</b>	93,146	90,543	92,398	92,010	91,666	91,273	90,937	90,612	90,532	90,353	90,223	90,187	90,182	90,128	90,186
<b>Trade, transportation,</b>															
<b>and utilities.....</b>	26,385	25,263	26,005	25,843	25,735	25,605	25,479	25,371	25,308	25,258	25,174	25,146	25,090	25,031	24,999
<b>Wholesale trade.....</b>	5,963.7	5,693.4	5,890.3	5,850.7	5,819.3	5,773.7	5,741.3	5,710.8	5,695.7	5,680.3	5,666.8	5,661.0	5,654.1	5,647.3	5,636.7
Durable goods.....	3,060.7	2,855.1	3,004.9	2,978.6	2,959.6	2,926.2	2,899.4	2,875.5	2,861.8	2,848.1	2,836.8	2,828.3	2,821.2	2,813.4	2,800.1
Nondurable goods.....	2,053.0	1,996.7	2,033.6	2,025.1	2,013.9	2,006.6	2,002.5	1,997.7	1,996.6	1,994.0	1,992.2	1,991.6	1,990.5	1,988.7	1,992.8
Electronic markets and															
agents and brokers.....	850.1	841.6	851.8	847.0	845.8	840.9	839.4	837.6	837.3	838.2	837.8	841.1	842.4	845.2	843.8
<b>Retail trade.....</b>	15,356.3	14,774.2	15,126.0	15,037.9	14,991.5	14,934.3	14,872.4	14,839.7	14,811.6	14,791.5	14,747.0	14,726.1	14,686.4	14,646.7	14,633.2
Motor vehicles and parts															
dealers <sup>1</sup> .....	1,844.5	1,684.0	1,770.5	1,745.6	1,730.1	1,716.8	1,701.8	1,690.2	1,681.6	1,673.9	1,669.9	1,674.7	1,668.4	1,668.4	1,667.4
Automobile dealers.....	1,186.0	1,052.9	1,121.2	1,099.9	1,088.6	1,078.7	1,067.7	1,057.1	1,050.2	1,042.6	1,040.4	1,045.6	1,040.7	1,041.1	1,043.0
Furniture and home															
furnishings stores.....	542.8	488.5	522.6	514.2	508.3	499.7	497.7	492.4	486.3	484.7	483.9	479.6			



**12. Continued—Employment of workers on nonfarm payrolls by industry, monthly data seasonally adjusted**  
 [In thousands]

Industry	Annual average		2008		2009										
	2008	2009	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct. <sup>P</sup>	Nov. <sup>P</sup>
Building material and garden supply stores.....	1,253.1	1,181.3	1,235.8	1,227.8	1,214.9	1,207.1	1,193.5	1,189.3	1,186.3	1,181.1	1,175.3	1,169.7	1,167.8	1,164.8	1,164.6
Food and beverage stores.....	2,858.4	2,819.8	2,843.5	2,835.1	2,835.3	2,826.0	2,827.6	2,828.9	2,828.0	2,828.8	2,823.5	2,821.4	2,813.4	2,809.9	2,801.9
Health and personal care stores.....	1,002.4	983.0	989.4	991.2	985.7	986.9	985.0	984.2	984.7	984.3	984.1	982.2	976.5	978.7	976.9
Gasoline stations.....	843.4	830.4	836.9	834.4	833.0	832.1	830.4	831.1	829.0	829.9	830.3	834.4	830.1	830.5	825.6
Clothing and clothing accessories stores.....	1,484.2	1,424.2	1,462.2	1,448.5	1,445.0	1,443.8	1,433.4	1,432.7	1,426.8	1,420.1	1,414.4	1,410.9	1,411.3	1,416.2	1,421.4
Sporting goods, hobby, book, and music stores.....	646.7	602.6	633.1	624.3	620.8	613.6	610.0	608.8	607.0	605.1	605.4	601.8	604.5	589.7	586.6
General merchandise stores <sup>1</sup> .....	3,047.1	3,026.3	3,024.5	3,029.2	3,040.7	3,040.7	3,045.5	3,041.2	3,041.8	3,045.1	3,032.8	3,025.7	3,019.1	2,996.1	2,999.5
Department stores.....	1,557.0	1,524.1	1,517.5	1,521.2	1,529.1	1,532.6	1,530.9	1,524.0	1,526.0	1,528.6	1,523.3	1,524.2	1,524.4	1,510.2	1,515.9
Miscellaneous store retailers.....	847.8	802.0	838.3	825.0	819.5	815.1	810.4	805.3	805.8	804.8	797.6	797.5	790.9	791.2	790.4
Nonstore retailers.....	436.3	416.1	427.7	424.0	422.7	418.8	418.5	417.6	417.3	418.0	416.7	415.2	412.9	412.3	409.6
<b>Transportation and warehousing.....</b>	<b>4,505.0</b>	<b>4,227.9</b>	<b>4,424.4</b>	<b>4,389.9</b>	<b>4,354.4</b>	<b>4,327.0</b>	<b>4,295.5</b>	<b>4,251.7</b>	<b>4,233.5</b>	<b>4,218.4</b>	<b>4,193.9</b>	<b>4,192.3</b>	<b>4,182.2</b>	<b>4,168.5</b>	<b>4,161.7</b>
Air transportation.....	492.6	465.8	481.6	477.8	476.8	474.8	474.0	466.8	466.7	463.9	462.9	463.5	461.7	462.0	459.5
Rail transportation.....	229.5	214.8	229.0	226.8	227.1	224.1	220.7	217.9	214.6	212.2	212.2	213.0	211.5	209.9	208.0
Water transportation.....	65.2	57.6	62.6	60.3	59.7	60.9	59.6	58.1	57.2	56.5	55.7	56.3	56.5	56.7	56.9
Truck transportation.....	1,391.1	1,275.6	1,358.0	1,340.8	1,323.3	1,313.9	1,300.3	1,283.2	1,277.4	1,269.5	1,264.6	1,261.2	1,261.7	1,253.5	1,249.9
Transit and ground passenger transportation.....	418.1	404.7	411.7	410.1	408.1	406.4	406.2	401.8	405.4	413.0	407.0	405.4	400.5	400.5	402.6
Pipeline transportation.....	42.0	42.8	43.2	43.3	43.1	43.1	43.0	43.0	42.5	42.3	41.8	42.4	43.2	43.3	43.0
Scenic and sightseeing transportation.....	28.0	27.3	27.2	27.2	26.9	27.0	27.0	27.2	28.5	27.7	28.7	28.1	28.1	26.7	26.1
Support activities for transportation.....	589.9	543.0	582.2	579.5	569.3	561.0	554.6	550.3	545.6	537.8	532.5	533.0	534.6	532.7	533.7
Couriers and messengers.....	575.9	552.4	565.7	564.6	563.2	563.7	558.5	556.0	550.5	551.5	547.8	549.0	545.5	547.0	545.6
Warehousing and storage.....	672.8	644.0	663.2	659.5	656.9	652.1	651.6	647.4	645.1	644.0	640.7	640.4	638.9	636.2	636.4
<b>Utilities.....</b>	<b>559.5</b>	<b>568.0</b>	<b>564.0</b>	<b>564.6</b>	<b>569.3</b>	<b>570.0</b>	<b>570.1</b>	<b>568.5</b>	<b>567.5</b>	<b>567.8</b>	<b>566.1</b>	<b>566.5</b>	<b>567.5</b>	<b>568.1</b>	<b>567.4</b>
<b>Information.....</b>	<b>2,997</b>	<b>2,856</b>	<b>2,965</b>	<b>2,940</b>	<b>2,924</b>	<b>2,918</b>	<b>2,905</b>	<b>2,884</b>	<b>2,858</b>	<b>2,845</b>	<b>2,834</b>	<b>2,829</b>	<b>2,828</b>	<b>2,826</b>	<b>2,812</b>
Publishing industries, except Internet.....	882.6	803.4	863.6	857.8	846.3	836.3	827.8	820.1	808.6	801.8	795.6	788.5	787.3	781.0	777.3
Motion picture and sound recording industries.....	381.6	385.6	385.0	377.2	376.7	389.8	393.7	389.5	381.3	379.3	380.3	384.3	385.0	389.3	385.6
Broadcasting, except Internet.....	315.9	293.4	313.1	308.1	306.5	302.5	299.0	296.3	294.2	291.9	290.2	288.7	289.6	288.3	290.3
Internet publishing and broadcasting.....															
Telecommunications.....	1,021.4	983.4	1,010.2	1,004.0	1,001.6	999.5	996.7	989.3	986.4	981.6	978.2	976.7	975.0	976.0	969.4
ISPs, search portals, and data processing.....	261.6	254.9	257.5	256.4	257.0	254.6	253.9	255.5	253.8	254.4	254.8	256.9	255.8	254.7	253.5
Other information services.....	133.6	135.2	135.1	136.5	135.7	134.8	134.1	133.7	133.2	135.5	135.3	134.3	135.1	136.6	136.0
<b>Financial activities.....</b>	<b>8,146</b>	<b>7,773</b>	<b>8,043</b>	<b>8,010</b>	<b>7,954</b>	<b>7,898</b>	<b>7,857</b>	<b>7,811</b>	<b>7,784</b>	<b>7,751</b>	<b>7,737</b>	<b>7,714</b>	<b>7,703</b>	<b>7,697</b>	<b>7,691</b>
Finance and insurance.....	6,015.2	5,771.6	5,948.7	5,924.0	5,890.4	5,853.9	5,829.5	5,799.6	5,781.6	5,760.5	5,748.0	5,729.8	5,720.9	5,718.7	5,714.6
Monetary authorities—central bank.....	22.2	20.5	21.5	21.3	21.0	20.9	20.8	20.5	20.3	20.3	20.2	20.3	20.3	20.6	20.4
Credit intermediation and related activities <sup>1</sup> .....	2,735.8	2,611.6	2,692.8	2,680.8	2,665.3	2,648.8	2,635.4	2,619.8	2,613.5	2,604.0	2,602.1	2,594.4	2,589.1	2,589.1	2,589.8
Depository credit intermediation <sup>1</sup> .....	1,819.5	1,775.4	1,806.9	1,804.9	1,798.1	1,790.9	1,783.4	1,778.0	1,774.4	1,772.7	1,770.0	1,767.4	1,766.1	1,765.7	1,768.6
Commercial banking.....	1,359.9	1,327.6	1,352.7	1,351.8	1,346.6	1,340.5	1,334.2	1,329.4	1,327.9	1,324.2	1,323.5	1,320.8	1,319.7	1,320.0	1,322.8
Securities, commodity contracts, investments.....	858.1	791.3	842.1	839.9	826.5	814.9	805.8	797.0	791.7	786.4	782.3	780.5	777.8	778.6	775.7
Insurance carriers and related activities.....	2,308.8	2,260.8	2,300.9	2,292.0	2,287.4	2,281.1	2,279.4	2,274.3	2,268.3	2,261.9	2,256.5	2,247.6	2,247.2	2,244.0	2,242.6
Funds, trusts, and other financial vehicles.....	90.3	87.4	91.4	90.0	90.2	88.2	88.1	88.0	87.8	87.9	86.9	87.0	86.5	86.4	86.1
Real estate and rental and leasing.....	2,130.2	2,001.1	2,093.8	2,085.8	2,063.2	2,043.8	2,027.0	2,011.7	2,002.7	1,990.6	1,988.6	1,984.3	1,982.3	1,978.3	1,976.5
Real estate.....	1,481.1	1,407.9	1,461.7	1,458.2	1,444.9	1,432.4	1,421.9	1,411.9	1,405.1	1,396.3	1,396.4	1,394.9	1,399.0	1,396.9	1,400.6
Rental and leasing services.....	620.9	565.4	603.8	599.3	589.9	583.2	576.6	571.5	569.2	566.5	564.6	562.1	555.9	553.9	548.5
Lessors of nonfinancial intangible assets.....	28.2	27.9	28.3	28.3	28.4	28.2	28.5	28.3	28.4	27.8	27.6	27.3	27.4	27.5	27.4
<b>Professional and business services.....</b>	<b>17,778</b>	<b>16,787</b>	<b>17,488</b>	<b>17,356</b>	<b>17,205</b>	<b>17,029</b>	<b>16,910</b>	<b>16,783</b>	<b>16,756</b>	<b>16,655</b>	<b>16,624</b>	<b>16,618</b>	<b>16,642</b>	<b>16,675</b>	<b>16,764</b>
Professional and technical services <sup>1</sup> .....	7,829.7	7,640.1	7,827.7	7,797.2	7,765.5	7,729.2	7,697.9	7,670.7	7,652.4	7,615.6	7,598.9	7,587.8	7,588.5	7,588.4	7,596.5
Legal services.....	1,163.7	1,131.7	1,157.7	1,156.8	1,154.1	1,148.7	1,144.9	1,139.4	1,136.9	1,131.7	1,128.2	1,127.2	1,124.8	1,118.7	1,116.2
Accounting and bookkeeping services.....	950.1	932.5	941.0	933.7	927.5	924.4	929.5	929.3	938.0	936.8	934.8	938.0	932.0	935.6	929.1
Architectural and engineering services.....	1,444.8	1,346.0	1,428.6	1,419.4	1,411.1	1,394.2	1,377.9	1,364.1	1,350.3	1,335.9	1,324.5	1,320.9	1,322.2	1,318.8	1,320.2

See notes at end of table

12. Continued—Employment of workers on nonfarm payrolls by industry, monthly data seasonally adjusted

[In thousands]

Industry	Annual average		2008		2009										
	2008	2009	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct. <sup>P</sup>	Nov. <sup>P</sup>
Computer systems design and related services.....	1,450.3	1,464.7	1,467.9	1,466.8	1,462.4	1,463.7	1,459.2	1,460.4	1,457.0	1,456.0	1,462.6	1,461.3	1,465.6	1,471.8	1,473.7
Management and technical consulting services.....	1,008.9	1,020.1	1,024.9	1,020.5	1,025.7	1,021.6	1,016.0	1,016.7	1,017.9	1,015.7	1,014.9	1,015.3	1,016.6	1,024.4	1,030.4
Management of companies and enterprises.....	1,894.6	1,829.3	1,882.0	1,872.1	1,871.7	1,862.1	1,852.6	1,840.2	1,829.9	1,823.8	1,819.7	1,816.4	1,810.8	1,807.5	1,806.3
Administrative and waste services.....	8,053.7	7,317.8	7,778.3	7,686.3	7,567.5	7,437.8	7,359.4	7,272.3	7,274.0	7,215.2	7,205.8	7,214.1	7,242.9	7,279.3	7,361.4
Administrative and support services <sup>1</sup> .....	7,693.5	6,955.0	7,414.2	7,324.4	7,203.1	7,076.5	6,999.2	6,911.7	6,912.7	6,854.3	6,843.7	6,851.6	6,877.8	6,914.9	6,996.9
Employment services <sup>1</sup> .....	3,144.4	2,547.9	2,896.7	2,829.5	2,720.5	2,638.7	2,567.0	2,506.4	2,501.9	2,470.3	2,459.5	2,465.6	2,486.9	2,529.5	2,594.6
Temporary help services.....	2,342.6	1,818.9	2,128.5	2,055.6	1,965.7	1,892.7	1,835.4	1,781.5	1,780.6	1,750.9	1,745.2	1,748.4	1,765.6	1,809.9	1,865.1
Business support services.....	823.2	791.7	823.7	816.0	817.6	805.0	799.1	792.9	790.5	783.8	783.9	784.5	787.0	785.6	789.4
Services to buildings and dwellings.....	1,847.0	1,777.2	1,829.4	1,818.1	1,812.5	1,796.8	1,791.5	1,778.7	1,786.1	1,771.2	1,769.8	1,765.3	1,764.8	1,763.0	1,766.5
Waste management and remediation services.....	360.2	362.7	364.1	361.9	364.4	361.3	360.2	360.6	361.3	360.9	362.1	362.5	365.1	364.4	364.5
<b>Educational and health services.....</b>	<b>18,855</b>	<b>19,272</b>	<b>19,044</b>	<b>19,080</b>	<b>19,119</b>	<b>19,138</b>	<b>19,158</b>	<b>19,175</b>	<b>19,215</b>	<b>19,248</b>	<b>19,262</b>	<b>19,312</b>	<b>19,348</b>	<b>19,384</b>	<b>19,421</b>
Educational services.....	3,036.6	3,082.8	3,066.0	3,063.1	3,088.4	3,083.1	3,077.9	3,077.4	3,077.6	3,082.0	3,072.2	3,077.7	3,074.3	3,084.6	3,095.1
Health care and social assistance.....	15,818.5	16,189.1	15,977.8	16,017.0	16,030.3	16,054.7	16,080.1	16,097.8	16,137.7	16,166.1	16,190.2	16,233.8	16,273.2	16,299.6	16,325.5
Ambulatory health care services <sup>1</sup> .....	5,660.7	5,836.3	5,727.7	5,742.6	5,753.3	5,770.1	5,779.8	5,794.1	5,812.9	5,830.6	5,842.0	5,855.8	5,873.4	5,885.2	5,899.0
Offices of physicians.....	2,265.7	2,324.8	2,289.8	2,294.5	2,300.4	2,304.4	2,308.0	2,310.5	2,314.6	2,321.9	2,329.8	2,335.3	2,339.0	2,339.1	2,340.3
Outpatient care centers.....	532.5	542.3	536.9	536.7	538.0	538.5	537.7	538.7	539.3	543.5	542.0	543.8	543.6	548.0	547.1
Home health care services.....	958.0	1,018.5	975.6	980.7	981.4	991.0	996.7	1,004.5	1,013.3	1,016.7	1,018.2	1,022.6	1,030.7	1,038.8	1,046.9
Hospitals.....	4,641.1	4,723.1	4,692.4	4,703.7	4,707.5	4,711.3	4,715.1	4,716.7	4,719.1	4,718.9	4,722.4	4,723.9	4,729.6	4,735.8	4,739.9
Nursing and residential care facilities <sup>1</sup> .....	3,008.1	3,059.7	3,022.3	3,029.6	3,029.4	3,033.6	3,041.0	3,042.8	3,049.1	3,056.3	3,064.7	3,073.6	3,076.1	3,081.3	3,082.5
Nursing care facilities.....	1,613.7	1,629.5	1,614.5	1,617.3	1,616.6	1,617.9	1,621.8	1,624.5	1,626.8	1,628.9	1,631.4	1,634.9	1,636.5	1,637.8	1,636.1
Social assistance <sup>1</sup> .....	2,508.7	2,570.1	2,535.4	2,541.1	2,540.1	2,539.7	2,544.2	2,544.2	2,556.6	2,560.3	2,561.1	2,580.5	2,594.1	2,597.3	2,604.1
Child day care services.....	859.2	856.8	863.2	864.3	862.7	860.4	858.2	853.9	860.3	854.3	845.9	856.3	859.4	856.4	857.0
<b>Leisure and hospitality.....</b>	<b>13,459</b>	<b>13,180</b>	<b>13,344</b>	<b>13,304</b>	<b>13,268</b>	<b>13,236</b>	<b>13,202</b>	<b>13,168</b>	<b>13,195</b>	<b>13,176</b>	<b>13,177</b>	<b>13,163</b>	<b>13,176</b>	<b>13,134</b>	<b>13,121</b>
Arts, entertainment, and recreation.....	1,969.3	1,910.2	1,944.0	1,947.1	1,943.8	1,936.2	1,928.7	1,900.6	1,901.8	1,885.5	1,897.8	1,893.2	1,922.8	1,900.8	1,900.0
Performing arts and spectator sports.....	406.3	397.4	398.8	401.4	405.7	398.6	400.5	392.9	396.8	393.8	400.0	395.2	399.1	399.1	394.7
Museums, historical sites, zoos, and parks.....	131.8	131.0	130.6	130.8	130.3	130.9	130.6	130.5	130.9	130.8	130.5	131.0	131.4	131.2	130.7
Amusements, gambling, and recreation.....	1,431.2	1,381.8	1,414.6	1,414.9	1,407.8	1,406.7	1,397.6	1,377.2	1,374.1	1,360.9	1,367.3	1,367.0	1,392.3	1,370.5	1,374.6
Accommodations and food services.....	11,489.3	11,269.7	11,399.6	11,356.5	11,323.7	11,299.7	11,273.2	11,267.0	11,293.6	11,290.0	11,278.8	11,269.5	11,253.6	11,232.9	11,221.4
Accommodations.....	1,857.3	1,723.0	1,812.1	1,794.3	1,768.4	1,754.7	1,732.7	1,723.6	1,728.7	1,721.0	1,715.5	1,714.4	1,709.8	1,703.2	1,698.3
Food services and drinking places.....	9,632.0	9,546.6	9,587.5	9,562.2	9,555.3	9,545.0	9,540.5	9,543.4	9,564.9	9,569.0	9,563.3	9,555.1	9,543.8	9,529.7	9,523.1
<b>Other services.....</b>	<b>5,528</b>	<b>5,412</b>	<b>5,509</b>	<b>5,477</b>	<b>5,461</b>	<b>5,449</b>	<b>5,426</b>	<b>5,420</b>	<b>5,416</b>	<b>5,420</b>	<b>5,415</b>	<b>5,405</b>	<b>5,395</b>	<b>5,381</b>	<b>5,378</b>
Repair and maintenance.....	1,228.2	1,160.7	1,204.7	1,189.9	1,184.7	1,177.3	1,166.3	1,163.7	1,158.4	1,157.8	1,155.1	1,154.3	1,150.6	1,150.7	1,153.9
Personal and laundry services.....	1,326.6	1,295.5	1,323.2	1,320.9	1,313.6	1,312.5	1,302.4	1,297.3	1,293.3	1,298.4	1,296.1	1,293.4	1,289.6	1,284.5	1,283.5
Membership associations and organizations.....	2,973.3	2,955.7	2,980.7	2,965.7	2,963.1	2,958.7	2,956.8	2,958.6	2,964.3	2,963.9	2,963.4	2,956.8	2,955.1	2,945.6	2,940.3
<b>Government.....</b>	<b>22,500</b>	<b>22,516</b>	<b>22,543</b>	<b>22,532</b>	<b>22,540</b>	<b>22,547</b>	<b>22,543</b>	<b>22,616</b>	<b>22,605</b>	<b>22,533</b>	<b>22,475</b>	<b>22,487</b>	<b>22,448</b>	<b>22,484</b>	<b>22,488</b>
Federal.....	2,764	2,830	2,783	2,778	2,793	2,796	2,808	2,876	2,860	2,817	2,826	2,825	2,827	2,844	2,839
Federal, except U.S. Postal Service.....	2,016.8	2,126.3	2,052.4	2,057.3	2,065.8	2,071.0	2,086.0	2,154.6	2,150.2	2,111.1	2,120.9	2,129.3	2,137.0	2,161.0	2,163.7
U.S. Postal Service.....	747.5	703.4	730.1	720.9	726.9	724.9	721.7	721.0	709.5	705.9	705.4	695.8	689.5	683.3	675.7
State.....	5,178	5,182	5,197	5,196	5,192	5,192	5,186	5,189	5,189	5,174	5,149	5,172	5,173	5,179	5,180
Education.....	2,359.0	2,384.1	2,380.3	2,381.3	2,380.2	2,382.3	2,379.9	2,385.5	2,386.2	2,377.9	2,357.2	2,377.3	2,375.8	2,389.3	2,395.5
Other State government.....	2,818.9	2,798.0	2,816.4	2,814.8	2,811.6	2,809.4	2,805.9	2,803.5	2,802.5	2,796.3	2,791.4	2,794.3	2,796.7	2,789.9	2,784.6
Local.....	14,557	14,504	14,563	14,558	14,555	14,559	14,549	14,551	14,556	14,542	14,500	14,490	14,448	14,461	14,469
Education.....	8,075.6	8,039.4	8,067.6	8,060.5	8,070.7	8,076.7	8,078.7	8,081.4	8,078.0	8,070.2	8,015.6	8,007.8	7,988.6	8,020.0	8,034.7
Other local government.....	6,481.8	6,464.6	6,495.6	6,497.7	6,484.7	6,482.5	6,469.8	6,469.2	6,478.3	6,471.3	6,484.6	6,481.7	6,459.1	6,441.4	6,434.1

<sup>1</sup> Includes other industries not shown separately.

NOTE: See "Notes on the data" for a description of the most recent benchmark revision.

p = 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		2008		2009										
	2008	2009	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct. <sup>p</sup>	Nov. <sup>p</sup>
<b>TOTAL PRIVATE.....</b>	33.6	33.1	33.4	33.3	33.3	33.3	33.1	33.1	33.1	33.0	33.1	33.1	33.1	33.0	33.2
<b>GOODS-PRODUCING.....</b>	40.2	39.2	39.5	39.4	39.3	39.2	38.9	39.0	39.0	39.0	39.3	39.4	39.3	39.1	39.6
<b>Natural resources and mining.....</b>	45.1	43.3	45.3	44.3	44.2	43.9	43.4	43.0	43.3	43.3	42.9	43.3	43.2	42.8	43.2
<b>Construction.....</b>	38.5	37.6	37.7	38.0	37.9	38.0	37.7	37.5	37.6	37.6	37.8	37.9	37.5	36.9	37.7
<b>Manufacturing.....</b>	40.8	39.8	40.2	39.9	39.8	39.5	39.4	39.6	39.4	39.5	39.9	39.9	40.0	40.1	40.4
Overtime hours.....	3.7	2.9	3.2	2.9	2.9	2.7	2.6	2.7	2.8	2.8	2.9	3.0	3.0	3.2	3.4
Durable goods.....	41.1	39.8	40.4	40.0	39.8	39.6	39.3	39.5	39.4	39.4	39.9	39.9	40.1	40.2	40.5
Overtime hours.....	3.7	2.7	3.1	2.8	2.7	2.5	2.4	2.5	2.6	2.6	2.7	2.8	2.8	3.0	3.2
Wood products.....	38.6	37.5	37.6	36.8	36.9	37.1	36.9	37.0	36.9	37.4	37.7	37.7	37.8	37.8	38.1
Nonmetallic mineral products.....	42.1	40.8	40.9	40.9	40.2	40.0	39.9	40.2	40.5	40.8	41.5	41.3	41.1	40.8	41.9
Primary metals.....	42.2	40.7	40.9	40.5	40.4	40.1	40.1	40.0	40.0	39.7	40.1	40.7	40.9	41.4	42.8
Fabricated metal products.....	41.3	39.4	40.8	40.3	39.7	39.5	39.0	39.2	39.2	39.3	39.4	39.5	39.4	39.6	39.6
Machinery.....	42.3	40.1	41.4	41.1	40.9	40.6	40.1	40.1	39.9	39.8	39.9	39.9	39.9	40.2	40.5
Computer and electronic products.....	41.0	40.4	41.3	40.4	40.7	40.5	39.9	40.2	40.0	40.0	40.2	40.5	40.5	40.6	40.8
Electrical equipment and appliances.....	40.9	39.3	40.2	39.7	39.4	38.9	38.8	39.6	39.3	38.8	38.9	39.1	39.4	39.5	40.0
Transportation equipment.....	42.0	41.1	40.9	40.9	40.4	40.1	40.0	40.6	40.0	40.4	41.9	41.6	42.0	42.0	42.2
Furniture and related products.....	38.1	37.8	37.2	37.3	37.7	37.4	37.7	37.6	37.8	37.8	37.9	37.5	38.0	38.3	38.5
Miscellaneous manufacturing.....	38.9	38.4	38.5	38.3	38.4	38.2	38.2	38.3	38.0	37.9	38.3	38.6	38.6	38.6	39.0
Nondurable goods.....	40.4	39.7	39.9	39.7	39.7	39.5	39.4	39.6	39.6	39.6	39.8	39.9	39.9	40.0	40.1
Overtime hours.....	3.7	3.2	3.4	3.1	3.2	3.0	3.0	3.1	3.2	3.2	3.3	3.3	3.3	3.5	3.6
Food manufacturing.....	40.5	40.0	39.9	39.8	40.1	39.9	40.1	40.1	40.0	39.9	39.6	40.1	39.9	40.0	40.2
Beverage and tobacco products.....	38.8	36.0	37.9	36.7	37.0	37.0	36.2	35.8	36.5	35.3	35.0	35.4	35.9	36.2	36.1
Textile mills.....	38.7	37.7	37.7	37.0	37.1	36.4	36.3	36.9	36.8	37.8	37.6	37.9	37.9	38.9	39.7
Textile product mills.....	38.6	37.8	37.9	37.1	37.0	37.1	37.0	37.5	38.3	38.0	38.4	38.1	38.3	38.1	37.8
Apparel.....	36.4	36.0	36.2	36.0	36.0	35.6	36.1	36.1	36.1	35.6	36.2	35.6	36.0	36.1	36.3
Leather and allied products.....	37.5	33.5	34.4	34.7	34.0	33.3	32.8	32.4	32.0	32.0	33.3	33.7	33.2	34.8	35.8
Paper and paper products.....	42.9	41.8	42.1	41.9	41.6	41.5	41.1	41.4	41.2	41.8	42.2	42.0	42.4	42.1	42.2
Printing and related support activities.....	38.3	38.0	38.2	38.0	37.7	37.3	37.5	37.7	37.6	38.1	38.5	38.7	38.4	38.2	38.3
Petroleum and coal products.....	44.6	43.5	44.4	45.3	45.1	43.8	44.3	43.8	43.4	43.4	43.2	44.1	43.0	42.1	42.7
Chemicals.....	41.5	41.3	41.3	41.1	41.1	41.1	40.9	41.0	41.1	41.2	41.6	41.4	41.4	41.7	41.7
Plastics and rubber products.....	41.0	40.2	40.6	40.0	39.9	39.6	39.4	39.8	39.8	39.8	40.4	40.3	40.6	40.7	40.9
<b>PRIVATE SERVICE-PROVIDING.....</b>	32.3	32.1	32.2	32.2	32.2	32.1	32.1	32.0	32.0	31.9	32.0	32.0	32.0	32.0	32.1
<b>Trade, transportation, and utilities.....</b>	33.2	32.9	33.0	32.9	32.9	32.8	32.7	32.8	32.9	32.8	32.8	32.8	32.8	32.9	32.9
Wholesale trade.....	38.2	37.6	38.1	37.8	38.1	37.9	37.8	37.8	37.6	37.6	37.4	37.5	37.4	37.5	37.6
Retail trade.....	30.0	29.8	29.8	29.7	29.7	29.8	29.7	29.8	29.9	29.8	29.8	29.8	29.8	29.9	29.9
Transportation and warehousing.....	36.4	36.1	36.1	36.2	36.0	35.7	35.7	35.8	36.0	35.8	36.3	36.1	36.4	36.3	36.4
Utilities.....	42.7	42.1	42.4	42.9	42.6	43.2	42.4	42.3	42.1	41.9	41.9	41.9	41.5	41.7	41.9
<b>Information.....</b>	36.7	36.6	37.0	37.0	37.2	36.9	36.7	36.4	36.5	36.4	36.4	36.4	36.4	36.3	36.7
<b>Financial activities.....</b>	35.8	36.1	36.1	35.9	36.2	36.2	36.1	36.0	36.0	35.9	35.9	36.1	35.9	36.0	36.1
<b>Professional and business services.....</b>	34.8	34.7	34.9	34.8	34.9	34.8	34.7	34.7	34.7	34.6	34.6	34.7	34.7	34.7	34.9
<b>Education and health services.....</b>	32.5	32.3	32.4	32.4	32.4	32.3	32.4	32.3	32.3	32.2	32.2	32.2	32.2	32.2	32.2
<b>Leisure and hospitality.....</b>	25.2	24.8	25.0	25.0	24.8	25.0	24.8	24.8	24.7	24.7	24.7	24.6	24.8	24.6	24.8
<b>Other services.....</b>	30.8	30.5	30.7	30.6	30.7	30.6	30.5	30.5	30.5	30.3	30.4	30.5	30.5	30.5	30.5

<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		2008		2009										
	2008	2009	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct. <sup>P</sup>	Nov. <sup>P</sup>
<b>TOTAL PRIVATE</b>															
Current dollars.....	\$18.08	\$18.60	\$18.34	\$18.40	\$18.43	\$18.46	\$18.50	\$18.50	\$18.53	\$18.54	\$18.59	\$18.66	\$18.68	\$18.74	\$18.77
Constant (1982) dollars.....	8.30	8.60	8.54	8.65	8.64	8.61	8.64	8.65	8.65	8.57	8.59	8.58	8.57	8.57	8.54
<b>GOODS-PRODUCING.....</b>	19.33	19.89	19.63	19.69	19.72	19.78	19.85	19.82	19.84	19.85	19.92	19.92	19.92	20.00	20.04
<b>Natural resources and mining.....</b>	22.50	23.22	23.28	23.23	23.14	23.14	23.33	23.38	23.26	23.28	23.23	23.21	23.14	23.33	23.18
<b>Construction.....</b>	21.87	22.61	22.28	22.41	22.43	22.42	22.59	22.55	22.59	22.58	22.60	22.63	22.50	22.84	22.80
<b>Manufacturing.....</b>	17.74	18.21	17.94	17.96	17.99	18.07	18.10	18.11	18.11	18.13	18.27	18.27	18.36	18.35	18.41
Excluding overtime.....	16.97	17.57	17.25	17.33	17.36	17.47	17.52	17.51	17.49	17.51	17.63	17.61	17.70	17.65	17.67
Durable goods.....	18.70	19.32	18.91	18.94	18.99	19.09	19.17	19.18	19.23	19.22	19.44	19.41	19.49	19.52	19.59
Nondurable goods.....	16.15	16.55	16.37	16.39	16.43	16.49	16.46	16.49	16.45	16.54	16.54	16.60	16.70	16.63	16.68
<b>PRIVATE SERVICE-PRIVATE SERVICE-PROVIDING.....</b>	17.77	18.32	18.03	18.10	18.14	18.17	18.20	18.21	18.24	18.25	18.30	18.39	18.41	18.47	18.50
<b>Trade, transportation, and utilities.....</b>	16.16	16.48	16.29	16.31	16.36	16.38	16.38	16.38	16.42	16.38	16.41	16.54	16.53	16.58	16.63
Wholesale trade.....	20.14	20.89	20.29	20.31	20.41	20.52	20.59	20.70	20.87	20.79	20.86	20.99	21.05	21.14	21.29
Retail trade.....	12.87	13.03	12.93	12.94	12.97	12.96	12.97	12.96	12.97	12.96	12.98	13.10	13.09	13.08	13.11
Transportation and warehousing.....	18.41	18.66	18.66	18.66	18.72	18.67	18.68	18.62	18.63	18.54	18.58	18.67	18.61	18.76	18.73
Utilities.....	28.84	29.62	28.91	29.16	29.22	29.67	29.31	29.29	29.45	29.44	29.48	29.79	29.71	29.79	30.02
<b>Information.....</b>	24.77	25.45	24.94	24.91	24.98	25.09	25.31	25.28	25.41	25.45	25.42	25.61	25.52	25.66	25.81
<b>Financial activities.....</b>	20.27	20.79	20.41	20.53	20.53	20.55	20.62	20.64	20.75	20.78	20.75	20.85	20.90	20.98	21.05
<b>Professional and business services.....</b>	21.19	22.37	21.78	21.97	22.04	22.17	22.26	22.26	22.26	22.32	22.42	22.48	22.57	22.54	22.49
<b>Education and health services.....</b>	18.88	19.42	19.13	19.20	19.18	19.24	19.24	19.33	19.34	19.39	19.45	19.49	19.52	19.59	19.59
<b>Leisure and hospitality.....</b>	10.84	11.09	10.90	10.94	10.97	10.97	10.98	10.97	10.99	11.05	11.07	11.12	11.21	11.20	11.26
<b>Other services.....</b>	16.08	16.34	16.29	16.29	16.30	16.25	16.23	16.22	16.24	16.24	16.29	16.37	16.41	16.46	16.48

<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		2008		2009										
	2008	2009	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct. <sup>P</sup>	Nov. <sup>P</sup>
<b>TOTAL PRIVATE</b> .....	\$18.08	\$18.60	\$18.40	\$18.40	\$18.49	\$18.57	\$18.57	\$18.52	\$18.47	\$18.42	\$18.49	\$18.60	\$18.70	\$18.73	\$18.85
Seasonally adjusted.....	-	-	18.34	18.40	18.43	18.46	18.50	18.50	18.53	18.54	18.59	18.66	18.68	18.74	18.77
<b>GOODS-PRODUCING</b> .....	19.33	19.89	19.65	19.75	19.64	19.64	19.74	19.78	19.83	19.83	19.97	20.00	20.02	20.07	20.09
<b>Natural resources and mining</b> .....	22.50	23.22	23.31	23.53	23.41	23.19	23.40	23.40	23.10	22.94	23.08	23.07	23.18	23.21	23.12
<b>Construction</b> .....	21.87	22.61	22.32	22.52	22.32	22.25	22.45	22.44	22.54	22.47	22.68	22.73	22.69	23.01	22.87
<b>Manufacturing</b> .....	17.74	18.21	17.94	18.06	18.03	18.07	18.09	18.13	18.09	18.12	18.18	18.23	18.41	18.30	18.43
Durable goods.....	18.70	19.32	18.92	19.06	18.99	19.09	19.17	19.20	19.20	19.22	19.33	19.39	19.56	19.47	19.61
Wood products.....	14.20	14.95	14.58	14.66	14.69	14.77	14.67	14.72	14.91	14.84	15.03	15.11	15.10	15.10	15.26
Nonmetallic mineral products.....	16.90	17.29	16.85	16.73	16.82	17.03	17.19	17.37	17.25	17.39	17.44	17.45	17.48	17.35	17.40
Primary metals.....	20.18	20.11	19.98	20.05	19.80	19.75	19.69	19.98	19.80	19.90	20.18	20.24	20.51	20.36	20.61
Fabricated metal products.....	16.99	17.49	17.21	17.36	17.24	17.30	17.29	17.41	17.38	17.43	17.47	17.50	17.64	17.60	17.74
Machinery.....	17.97	18.40	18.18	18.15	18.16	18.17	18.26	18.20	18.36	18.25	18.37	18.37	18.63	18.56	18.75
Computer and electronic products.....	21.03	21.83	21.37	21.44	21.46	21.42	21.71	21.73	21.70	21.67	21.85	22.07	21.99	22.04	22.24
Electrical equipment and appliances.....	15.78	16.27	15.74	15.88	15.81	15.93	15.95	15.99	16.15	16.23	16.39	16.58	16.61	16.48	16.60
Transportation equipment.....	23.83	24.87	24.37	24.58	24.66	24.69	24.80	24.76	24.85	24.95	25.01	24.83	25.08	24.87	24.91
Furniture and related products.....	14.54	15.06	14.77	14.92	14.95	14.85	15.02	15.00	15.02	15.11	15.22	15.13	15.30	15.00	14.97
Miscellaneous manufacturing.....	15.19	16.17	15.42	15.60	15.66	15.97	16.02	16.07	16.18	16.08	16.18	16.18	16.19	16.21	16.63
Nondurable goods.....	16.15	16.55	16.35	16.43	16.51	16.48	16.43	16.51	16.43	16.50	16.51	16.53	16.73	16.60	16.69
Food manufacturing.....	14.00	14.39	14.17	14.26	14.34	14.30	14.24	14.27	14.26	14.34	14.34	14.43	14.65	14.51	14.48
Beverages and tobacco products.....	19.35	20.36	19.98	19.95	20.07	20.25	20.40	20.25	20.38	20.20	20.15	20.27	20.29	20.60	20.84
Textile mills.....	13.57	13.63	13.69	13.80	13.90	13.76	13.88	13.79	13.63	13.62	13.49	13.77	13.77	13.60	13.18
Textile product mills.....	11.73	11.45	11.59	11.72	11.59	11.53	11.34	11.34	11.34	11.56	11.18	11.34	11.29	11.41	11.63
Apparel.....	11.40	11.36	11.35	11.38	11.46	11.40	11.26	11.44	11.28	11.38	11.38	11.30	11.52	11.15	11.30
Leather and allied products.....	12.96	13.87	13.61	13.47	14.10	14.19	14.21	14.34	13.85	14.06	13.69	13.59	13.46	13.83	13.72
Paper and paper products.....	18.88	19.26	18.89	19.11	19.27	18.99	18.90	19.29	19.09	19.29	19.45	19.09	19.50	19.18	19.48
Printing and related support activities.....	16.75	16.74	16.86	17.01	16.79	16.79	16.69	16.76	16.61	16.56	16.54	16.76	16.87	16.79	16.86
Petroleum and coal products.....	27.46	29.80	28.28	28.17	29.13	29.57	29.80	29.26	29.18	29.42	29.69	29.60	29.92	30.57	30.77
Chemicals.....	19.49	20.29	19.77	19.72	19.89	19.96	19.93	20.02	20.16	20.18	20.35	20.37	20.58	20.57	20.77
Plastics and rubber products.....	15.85	16.05	16.13	16.24	16.24	16.22	16.20	16.19	16.09	16.06	15.83	15.90	16.06	15.79	15.96
<b>PRIVATE SERVICE-PROVIDING</b> .....	17.77	18.32	18.10	18.09	18.23	18.33	18.31	18.24	18.18	18.11	18.16	18.29	18.41	18.44	18.58
<b>Trade, transportation, and utilities</b> .....	16.16	16.48	16.26	16.14	16.37	16.47	16.45	16.42	16.40	16.35	16.39	16.55	16.59	16.56	16.62
Wholesale trade.....	20.14	20.89	20.41	20.36	20.44	20.65	20.64	20.69	20.78	20.66	20.83	21.02	21.03	21.08	21.40
Retail trade.....	12.87	13.03	12.85	12.74	12.96	12.99	13.02	13.01	12.99	12.96	12.99	13.12	13.22	13.07	13.04
Transportation and warehousing.....	18.41	18.66	18.69	18.62	18.68	18.73	18.64	18.58	18.54	18.54	18.64	18.73	18.62	18.74	18.78
Utilities.....	28.84	29.62	28.96	29.28	29.27	29.70	29.42	29.50	29.50	29.27	29.33	29.51	29.76	29.83	30.06
<b>Information</b> .....	24.77	25.45	25.03	24.86	25.03	25.12	25.40	25.24	25.41	25.26	25.30	25.68	25.62	25.74	25.88
<b>Financial activities</b> .....	20.27	20.79	20.54	20.50	20.48	20.68	20.67	20.65	20.72	20.66	20.65	20.87	20.89	20.96	21.18
<b>Professional and business services</b> .....	21.19	22.37	21.97	22.01	22.16	22.52	22.52	22.28	22.15	22.11	22.25	22.41	22.43	22.37	22.67
<b>Education and health services</b> .....	18.88	19.42	19.10	19.23	19.26	19.26	19.23	19.33	19.29	19.32	19.47	19.43	19.58	19.59	19.58
<b>Leisure and hospitality</b> .....	10.84	11.09	10.93	11.05	11.03	11.06	11.00	10.99	10.99	10.97	10.96	11.02	11.21	11.22	11.31
<b>Other services</b> .....	16.08	16.34	16.24	16.27	16.34	16.34	16.33	16.27	16.29	16.16	16.17	16.31	16.44	16.44	16.48

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.

16. Average weekly earnings of production or nonsupervisory workers<sup>1</sup> on private nonfarm payrolls, by industry

Industry	Annual average		2008		2009										
	2008	2009	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct. <sup>P</sup>	Nov. <sup>P</sup>
<b>TOTAL PRIVATE</b> .....	\$607.99	\$616.37	\$620.08	\$610.88	\$608.32	\$616.52	\$614.67	\$607.46	\$609.51	\$609.70	\$613.87	\$624.96	\$617.10	\$619.96	\$631.48
Seasonally adjusted.....	-	-	612.56	612.72	613.72	614.72	612.35	612.35	613.34	611.82	615.33	617.65	618.31	618.42	623.16
<b>GOODS-PRODUCING</b> .....	776.60	779.10	782.07	778.15	762.03	758.10	763.94	759.55	773.37	779.32	788.82	798.00	778.78	790.76	801.59
<b>Natural resources and mining</b> .....	1,013.78	1,005.72	1,072.26	1,040.03	1,020.68	1,008.77	1,003.86	994.50	990.99	1,000.18	987.82	1,015.08	996.74	1,000.35	1,021.90
<b>CONSTRUCTION</b> .....	842.36	850.46	845.93	840.00	828.07	823.25	837.39	830.28	856.52	858.35	879.98	884.20	830.45	858.27	866.77
<b>Manufacturing</b> .....	724.23	724.75	726.57	727.82	712.19	708.34	709.13	705.26	710.94	719.36	719.93	732.85	736.40	739.32	750.10
Durable goods.....	767.56	769.33	766.26	771.93	750.11	748.33	751.46	746.88	752.64	763.03	765.47	779.48	782.40	786.59	800.09
Wood products.....	547.81	559.89	549.67	538.02	524.43	531.72	531.05	534.34	553.16	571.34	577.15	583.25	575.31	573.80	582.93
Nonmetallic mineral products....	711.30	706.20	692.54	677.57	654.30	657.36	673.85	694.80	700.35	721.69	742.94	745.12	735.91	720.03	744.72
Primary metals.....	850.84	818.64	817.18	818.04	797.94	786.05	793.51	783.22	788.04	796.00	801.15	831.86	832.71	840.87	886.23
Fabricated metal products.....	701.47	688.57	707.33	706.55	680.98	678.16	670.85	668.54	677.82	685.00	683.08	694.75	691.49	704.00	707.83
Machinery.....	759.92	738.11	758.11	755.04	740.93	735.89	730.40	720.72	727.06	724.53	723.78	727.45	732.16	749.82	766.88
Computer and electronic products.....	861.43	881.02	891.13	883.33	866.98	863.23	864.06	860.51	863.66	873.30	869.63	889.42	886.20	897.03	918.51
Electrical equipment and appliances.....	645.60	638.46	642.19	646.32	621.33	613.31	615.67	615.62	633.08	631.35	631.02	646.62	652.77	657.55	675.62
Transportation equipment.....	999.94	1,022.59	994.30	1,022.53	993.80	990.07	992.00	985.45	991.52	1,015.47	1,017.91	1,042.86	1,058.38	1,054.49	1,051.20
Furniture and related products.....	554.20	569.23	546.49	563.98	559.13	547.97	563.25	552.00	566.25	578.71	579.88	576.45	572.22	571.50	573.35
Miscellaneous manufacturing.....	591.73	621.40	593.67	600.60	599.78	603.67	613.57	610.66	614.84	612.65	618.08	634.26	621.70	625.71	651.90
Nondurable goods.....	652.20	657.93	658.91	657.20	650.49	644.37	644.06	642.24	647.34	656.70	655.45	661.20	669.20	668.98	677.61
Food manufacturing.....	566.91	575.17	572.47	573.25	569.30	561.99	563.90	555.10	570.40	573.60	569.30	581.53	587.47	587.66	589.34
Beverages and tobacco products.....	750.18	733.62	767.23	726.18	728.54	741.15	730.32	706.73	754.06	719.12	705.25	725.67	734.50	741.60	766.91
Textile mills.....	524.93	513.55	520.22	514.74	510.13	493.98	502.46	496.44	497.50	520.28	507.22	524.64	521.88	534.48	531.15
Textile product mills.....	453.12	432.65	441.58	441.84	423.04	426.61	419.58	417.31	432.05	448.53	429.31	435.46	434.67	433.58	439.61
Apparel.....	415.17	408.57	414.28	410.82	407.98	403.56	407.61	409.55	408.34	407.40	414.23	403.41	405.50	403.63	415.84
Leather and allied products.....	486.49	464.88	462.74	476.84	470.94	465.43	470.35	457.45	445.97	451.33	451.77	462.06	438.80	495.11	492.55
Paper and paper products.....	809.21	804.48	802.83	814.09	797.78	780.49	769.23	792.82	780.78	806.32	816.90	799.87	834.60	813.23	831.80
Printing and related support activities.....	642.50	635.69	652.48	654.89	627.95	622.91	627.54	625.15	617.89	625.97	628.52	646.94	649.50	649.77	654.17
Petroleum and coal products.....	1,224.26	1,295.94	1,275.43	1,256.38	1,307.94	1,286.30	1,290.34	1,258.18	1,254.74	1,285.65	1,309.33	1,308.32	1,298.53	1,311.45	1,323.11
Chemicals.....	808.80	838.72	822.43	814.44	811.51	820.36	815.14	816.82	820.51	835.45	844.53	843.32	856.13	857.77	872.34
Plastics and rubber products.....	649.04	644.70	658.10	657.72	647.98	639.07	636.66	633.03	635.56	644.01	633.20	642.36	652.04	645.81	659.15
<b>PRIVATE SERVICE-PROVIDING</b> .....	574.31	587.14	588.25	578.88	579.71	592.06	587.75	580.03	579.94	577.71	582.94	594.43	587.28	588.24	601.99
<b>Trade, transportation, and utilities</b> .....	535.79	541.37	536.58	531.01	530.39	538.57	537.92	535.29	537.92	536.28	542.51	551.12	547.47	544.82	548.46
Wholesale trade.....	769.91	786.22	787.83	767.57	770.59	784.70	782.26	775.88	779.25	776.82	776.96	796.66	780.21	788.39	817.48
Retail trade.....	386.39	388.81	381.65	380.93	378.43	384.50	384.09	385.10	388.40	387.50	393.60	397.54	397.92	390.79	388.59
Transportation and warehousing.....	670.33	673.50	680.32	679.63	663.14	663.04	665.45	655.87	661.88	663.73	678.50	689.26	679.63	680.26	689.23
Utilities.....	1,231.19	1,247.78	1,236.59	1,256.11	1,243.98	1,286.01	1,241.52	1,250.80	1,241.95	1,226.41	1,223.06	1,236.47	1,240.99	1,246.89	1,268.53
<b>Information</b> .....	908.44	930.40	936.12	917.33	921.10	931.95	934.72	911.16	914.76	911.89	920.92	947.59	932.57	934.36	965.32
<b>Financial activities</b> .....	726.37	749.60	753.82	731.85	735.23	761.02	754.46	739.27	739.70	737.56	737.21	765.93	743.68	748.27	779.42
<b>Professional and business services</b> .....	738.25	777.15	775.54	761.55	762.30	785.95	785.95	766.43	766.39	767.22	767.63	791.07	769.35	776.24	802.52
<b>Education and health services</b> .....	614.30	626.48	624.57	621.13	622.10	624.02	623.05	620.49	619.21	620.17	628.88	631.48	630.48	628.84	636.35
<b>Leisure and hospitality</b> .....	273.27	274.90	273.25	270.73	264.72	275.39	272.80	270.35	271.45	274.25	277.29	282.11	276.89	274.89	280.49
<b>Other services</b> .....	494.99	498.77	501.82	496.24	498.37	501.64	498.07	494.61	495.22	489.65	493.19	503.98	499.78	501.42	505.94

<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. Dash indicates data not available. p = preliminary.

## 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:												
2005.....	52.6	60.1	54.1	58.1	56.8	58.3	58.5	59.2	54.2	55.9	62.7	57.6
2006.....	64.9	62.2	63.8	59.8	49.1	51.8	59.2	55.4	55.7	56.3	59.4	60.7
2007.....	53.5	55.5	52.4	49.4	55.9	48.3	50.7	46.5	55.9	57.2	59.4	57.9
2008.....	42.1	40.6	44.1	41.1	42.6	36.9	37.6	39.1	34.7	33.0	27.1	20.5
2009.....	22.1	20.8	19.6	21.8	29.3	25.8	30.3	36.7	39.3	33.8	42.4	
Over 3-month span:												
2005.....	51.7	57.2	59.0	59.8	57.9	62.0	60.5	62.9	60.3	55.5	56.3	62.7
2006.....	67.7	68.6	65.1	65.1	60.5	58.9	55.5	57.0	55.0	54.4	59.0	64.2
2007.....	62.5	54.8	54.2	54.8	54.1	50.4	52.8	48.7	53.3	53.9	58.3	62.5
2008.....	57.7	44.8	40.2	39.7	37.3	33.6	33.6	32.8	34.9	33.2	26.9	20.8
2009.....	18.6	14.2	15.1	15.3	20.3	22.0	22.0	24.5	31.9	31.0	38.2	
Over 6-month span:												
2005.....	55.4	57.9	58.1	57.0	58.3	60.9	63.1	63.3	61.6	59.6	61.4	62.5
2006.....	64.6	63.8	67.5	66.2	65.5	66.6	60.3	61.1	57.9	57.9	62.4	59.0
2007.....	60.3	57.2	60.5	58.3	55.5	56.5	52.8	52.4	56.6	54.4	56.8	59.0
2008.....	56.6	53.0	50.7	47.4	40.2	33.4	31.0	33.4	30.6	29.0	26.0	24.4
2009.....	21.6	17.2	15.1	15.3	15.9	16.6	15.9	20.7	24.0	22.1	25.3	
Over 12-month span:												
2005.....	60.9	60.9	60.0	59.2	58.3	60.3	61.3	63.3	60.7	59.2	59.8	61.8
2006.....	67.2	65.5	65.9	62.9	65.5	66.8	64.8	64.4	66.6	65.9	64.9	66.2
2007.....	63.3	59.4	61.1	59.6	59.2	58.3	56.8	57.2	59.4	58.9	58.1	59.6
2008.....	54.4	56.1	52.6	49.1	50.2	47.8	43.7	42.3	38.0	37.8	32.3	28.2
2009.....	24.0	22.0	19.9	18.1	17.5	17.2	16.2	15.3	16.4	15.3	15.5	
Manufacturing payrolls, 84 industries												
Over 1-month span:												
2005.....	36.7	46.4	42.2	46.4	40.4	33.7	41.0	43.4	45.8	47.6	44.6	47.0
2006.....	57.8	49.4	53.6	47.0	37.3	50.6	49.4	42.2	40.4	42.8	41.0	44.0
2007.....	44.6	41.0	30.7	24.7	38.0	32.5	43.4	30.7	39.2	42.8	60.8	48.2
2008.....	30.7	28.9	37.3	32.5	40.4	25.3	25.9	27.7	22.9	18.7	15.1	10.2
2009.....	6.0	9.6	10.8	16.3	11.4	12.0	24.1	25.9	27.1	20.5	36.7	
Over 3-month span:												
2005.....	36.7	43.4	41.0	41.6	35.5	36.1	34.9	36.7	42.2	44.0	38.6	48.8
2006.....	56.6	57.2	48.2	48.2	44.6	50.0	43.4	45.2	36.7	33.1	35.5	39.2
2007.....	40.4	33.1	33.1	28.9	29.5	30.1	31.9	28.9	30.7	30.7	39.2	51.2
2008.....	48.8	33.7	28.3	29.5	26.5	22.9	19.9	16.9	22.3	21.1	15.1	11.4
2009.....	6.0	3.6	3.6	7.8	8.4	12.0	8.4	13.9	19.9	19.3	26.5	
Over 6-month span:												
2005.....	33.7	39.8	38.0	36.1	35.5	34.9	39.8	36.1	36.1	38.0	36.7	39.8
2006.....	45.2	45.2	50.6	48.8	50.6	50.0	45.2	47.0	43.4	42.2	39.8	34.3
2007.....	37.3	33.1	29.5	28.9	30.7	34.9	28.9	26.5	29.5	28.3	33.7	38.0
2008.....	34.3	30.1	37.3	35.5	25.3	20.5	17.5	18.1	16.9	13.3	11.4	9.6
2009.....	9.0	4.8	4.8	6.0	4.8	4.8	7.2	7.8	7.8	7.8	13.3	
Over 12-month span:												
2005.....	45.2	44.0	42.2	41.0	36.7	35.5	32.5	34.3	33.1	33.7	33.7	38.0
2006.....	44.0	41.0	41.0	39.8	39.8	45.2	42.2	42.8	47.0	48.8	45.8	44.6
2007.....	39.8	36.7	37.3	30.7	28.9	29.5	30.7	28.9	33.1	28.9	34.3	35.5
2008.....	27.7	28.9	25.9	25.3	30.7	27.1	24.7	19.3	21.7	21.7	16.9	15.1
2009.....	8.4	4.8	4.8	4.8	6.0	6.0	6.6	4.8	4.8	4.8	3.0	

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							
	2009							2009							
	May	June	July	Aug.	Sept.	Oct.	Nov. <sup>P</sup>	May	June	July	Aug.	Sept.	Oct.	Nov. <sup>P</sup>	
Total <sup>2</sup> .....	2,523	2,513	2,408	2,423	2,586	2,571	2,415	1.9	1.9	1.8	1.8	1.9	1.9	1.8	
<b>Industry</b>															
Total private <sup>2</sup> .....	2,191	2,163	2,090	2,128	2,298	2,206	2,076	2.0	1.9	1.9	1.9	2.1	2.0	1.9	
Construction.....	39	56	47	65	70	69	77	0.6	0.9	0.8	1.1	1.2	1.1	1.3	
Manufacturing.....	105	113	110	122	132	139	145	0.9	0.9	0.9	1.0	1.1	1.2	1.2	
Trade, transportation, and utilities.....	466	469	393	422	407	373	324	1.8	1.8	1.5	1.6	1.6	1.5	1.3	
Professional and business services.....	451	445	431	438	501	480	436	2.6	2.6	2.5	2.6	2.9	2.8	2.5	
Education and health services.....	530	531	553	520	546	524	546	2.7	2.7	2.8	2.6	2.7	2.6	2.7	
Leisure and hospitality.....	265	276	256	238	311	258	238	2.0	2.1	1.9	1.8	2.3	1.9	1.8	
Government.....	310	322	314	300	296	376	339	1.4	1.4	1.4	1.3	1.3	1.6	1.5	
<b>Region<sup>3</sup></b>															
Northeast.....	554	609	508	513	539	503	496	2.2	2.4	2.0	2.0	2.1	2.0	2.0	
South.....	888	882	870	911	930	897	796	1.8	1.8	1.8	1.9	1.9	1.9	1.7	
Midwest.....	512	496	509	476	556	550	551	1.7	1.6	1.7	1.6	1.8	1.8	1.8	
West.....	544	561	517	533	575	609	584	1.8	1.9	1.7	1.8	1.9	2.0	2.0	

<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 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							
	2009							2009							
	May	June	July	Aug.	Sept.	Oct.	Nov. <sup>P</sup>	May	June	July	Aug.	Sept.	Oct.	Nov. <sup>P</sup>	
Total <sup>2</sup> .....	3,942	3,919	4,228	4,040	4,061	4,045	4,176	3.0	3.0	3.2	3.1	3.1	3.1	3.2	
<b>Industry</b>															
Total private <sup>2</sup> .....	3,739	3,654	3,930	3,779	3,800	3,730	3,895	3.4	3.3	3.6	3.5	3.5	3.4	3.6	
Construction.....	365	277	355	297	349	332	326	5.8	4.5	5.8	4.9	5.8	5.6	5.5	
Manufacturing.....	206	225	272	243	270	245	243	1.7	1.9	2.3	2.1	2.3	2.1	2.1	
Trade, transportation, and utilities.....	842	744	819	818	842	768	831	3.3	2.9	3.3	3.3	3.4	3.1	3.3	
Professional and business services.....	721	644	686	715	724	735	839	4.3	3.9	4.1	4.3	4.4	4.4	5.0	
Education and health services.....	473	530	522	538	526	522	524	2.5	2.8	2.7	2.8	2.7	2.7	2.7	
Leisure and hospitality.....	695	695	716	695	656	677	734	5.3	5.3	5.4	5.3	5.0	5.2	5.6	
Government.....	273	262	282	261	266	304	283	1.2	1.2	1.3	1.2	1.2	1.4	1.3	
<b>Region<sup>3</sup></b>															
Northeast.....	712	735	714	720	693	769	742	2.9	3.0	2.9	2.9	2.8	3.1	3.0	
South.....	1,423	1,428	1,544	1,493	1,502	1,403	1,602	3.0	3.0	3.3	3.2	3.2	3.0	3.4	
Midwest.....	867	839	885	947	911	915	905	2.9	2.8	3.0	3.2	3.1	3.1	3.0	
West.....	995	917	1,042	884	939	929	959	3.4	3.1	3.5	3.0	3.2	3.2	3.3	

<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 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							
	2009							2009							
	May	June	July	Aug.	Sept.	Oct.	Nov. <sup>P</sup>	May	June	July	Aug.	Sept.	Oct.	Nov. <sup>P</sup>	
Total <sup>2</sup> .....	4,356	4,306	4,430	4,284	4,325	4,223	4,340	3.3	3.3	3.4	3.3	3.3	3.2	3.3	
<b>Industry</b>															
Total private <sup>2</sup> .....	4,066	3,939	4,147	3,976	4,038	3,944	4,059	3.7	3.6	3.8	3.7	3.7	3.6	3.7	
Construction.....	411	355	444	342	421	384	365	6.5	5.7	7.2	5.6	7.0	6.4	6.1	
Manufacturing.....	367	352	329	313	314	300	300	3.1	3.0	2.8	2.7	2.7	2.6	2.6	
Trade, transportation, and utilities.....	951	816	874	850	870	840	864	3.8	3.2	3.5	3.4	3.5	3.4	3.5	
Professional and business services.....	771	698	738	728	740	725	800	4.6	4.2	4.4	4.4	4.5	4.3	4.8	
Education and health services.....	419	489	500	509	502	470	489	2.2	2.5	2.6	2.6	2.6	2.4	2.5	
Leisure and hospitality.....	684	696	713	704	697	723	771	5.2	5.3	5.4	5.3	5.3	5.5	5.9	
Government.....	288	340	298	293	279	275	279	1.3	1.5	1.3	1.3	1.2	1.2	1.2	
<b>Region<sup>3</sup></b>															
Northeast.....	774	799	716	759	744	739	865	3.1	3.2	2.9	3.1	3.0	3.0	3.5	
South.....	1,565	1,535	1,602	1,490	1,521	1,561	1,665	3.3	3.2	3.4	3.1	3.2	3.3	3.5	
Midwest.....	1,016	958	958	951	985	920	833	3.4	3.2	3.2	3.2	3.3	3.1	2.8	
West.....	980	1,053	1,181	1,086	1,036	963	1,038	3.3	3.6	4.0	3.7	3.5	3.3	3.5	

<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							
	2009							2009							
	May	June	July	Aug.	Sept.	Oct.	Nov. <sup>P</sup>	May	June	July	Aug.	Sept.	Oct.	Nov. <sup>P</sup>	
Total <sup>2</sup> .....	1,788	1,787	1,778	1,779	1,804	1,771	1,960	1.4	1.4	1.4	1.4	1.4	1.4	1.5	
<b>Industry</b>															
Total private <sup>2</sup> .....	1,682	1,680	1,673	1,680	1,713	1,663	1,855	1.5	1.5	1.5	1.5	1.6	1.5	1.7	
Construction.....	84	70	68	67	90	68	121	1.3	1.1	1.1	1.1	1.5	1.1	2.0	
Manufacturing.....	86	93	82	85	94	78	73	.7	.8	.7	.7	.8	.7	.6	
Trade, transportation, and utilities.....	398	391	415	407	445	389	455	1.6	1.5	1.6	1.6	1.8	1.6	1.8	
Professional and business services.....	281	257	265	269	276	283	276	1.7	1.5	1.6	1.6	1.7	1.7	1.6	
Education and health services.....	249	264	235	249	269	268	263	1.3	1.4	1.2	1.3	1.4	1.4	1.4	
Leisure and hospitality.....	396	429	411	413	351	363	421	3.0	3.3	3.1	3.1	2.7	2.8	3.2	
Government.....	107	111	107	106	98	103	106	.5	.5	.5	.5	.4	.5	.5	
<b>Region<sup>3</sup></b>															
Northeast.....	303	279	234	270	297	291	279	1.2	1.1	1.0	1.1	1.2	1.2	1.1	
South.....	718	693	724	687	701	682	836	1.5	1.5	1.5	1.5	1.5	1.4	1.8	
Midwest.....	397	403	435	374	405	386	384	1.3	1.3	1.5	1.3	1.4	1.3	1.3	
West.....	398	434	404	460	414	386	476	1.3	1.5	1.4	1.6	1.4	1.3	1.6	

<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 2009.

County by NAICS supersector	Establishments, first quarter 2009 (thousands)	Employment		Average weekly wage <sup>1</sup>	
		March 2009 (thousands)	Percent change, March 2008-09 <sup>2</sup>	First quarter 2009	Percent change, first quarter 2008-09 <sup>2</sup>
United States <sup>3</sup> .....	9,113.9	128,992.2	-4.2	\$882	-2.5
Private industry .....	8,819.8	106,866.1	-5.1	882	-3.3
Natural resources and mining .....	126.3	1,670.1	-3.8	993	-2.3
Construction .....	860.9	5,937.8	-15.4	906	.9
Manufacturing .....	356.4	12,096.6	-10.6	1,062	-1.3
Trade, transportation, and utilities .....	1,912.2	24,597.3	-5.5	733	-1.6
Information .....	148.0	2,858.8	-5.0	1,439	-2.0
Financial activities .....	853.1	7,651.3	-4.4	1,596	-15.9
Professional and business services .....	1,533.8	16,534.8	-6.4	1,129	-.2
Education and health services .....	861.3	18,245.7	2.2	776	1.2
Leisure and hospitality .....	739.1	12,715.3	-3.1	351	-2.2
Other services .....	1,234.6	4,357.1	-2.1	543	-5
Government .....	294.2	22,126.1	.5	884	1.6
Los Angeles, CA .....	431.2	3,996.3	-4.9	967	-2.4
Private industry .....	427.3	3,395.0	-5.7	945	-3.0
Natural resources and mining .....	.5	10.7	-6.2	1,479	-15.8
Construction .....	14.0	123.3	-17.4	973	.3
Manufacturing .....	14.4	401.4	-9.3	1,063	-1.8
Trade, transportation, and utilities .....	54.0	744.8	-7.2	776	-1.5
Information .....	8.9	197.3	-7.3	1,755	1.8
Financial activities .....	24.0	223.4	-6.8	1,577	-12.1
Professional and business services .....	43.3	541.8	-8.3	1,149	-2.1
Education and health services .....	28.6	499.8	1.1	865	2.4
Leisure and hospitality .....	27.5	384.1	-3.9	519	-2.4
Other services .....	202.9	258.5	3.0	424	-3.9
Government .....	3.9	601.3	-.3	1,090	-.2
Cook, IL .....	141.1	2,381.5	-4.4	1,084	-5.4
Private industry .....	139.8	2,069.2	-5.0	1,093	-6.3
Natural resources and mining .....	.1	.9	-3.7	792	-12.8
Construction .....	12.3	71.9	-14.4	1,317	.5
Manufacturing .....	6.9	206.7	-9.5	1,013	-4.1
Trade, transportation, and utilities .....	27.5	438.8	-6.5	797	-4.3
Information .....	2.6	53.5	( <sup>4</sup> )	1,644	-8.7
Financial activities .....	15.6	197.7	-5.0	2,397	-17.4
Professional and business services .....	29.1	398.3	-8.0	1,403	-.6
Education and health services .....	14.1	385.9	3.1	839	1.0
Leisure and hospitality .....	11.9	216.4	-3.6	404	-2.9
Other services .....	14.7	94.8	-1.4	729	1.1
Government .....	1.4	312.3	.0	1,022	1.6
New York, NY .....	119.1	2,290.3	-3.6	2,149	-23.4
Private industry .....	118.8	1,837.8	-4.4	2,425	-24.9
Natural resources and mining .....	.0	.2	1.3	1,967	-16.9
Construction .....	2.4	34.0	-7.2	1,479	-6.4
Manufacturing .....	2.9	30.4	-15.3	1,365	-8.3
Trade, transportation, and utilities .....	21.7	230.7	-6.6	1,136	-5.4
Information .....	4.5	129.0	-4.7	2,449	-7.9
Financial activities .....	19.0	355.9	-6.2	6,379	-35.2
Professional and business services .....	25.4	463.7	-5.6	2,095	-10.2
Education and health services .....	8.8	293.9	.7	998	.8
Leisure and hospitality .....	11.9	208.9	-3.0	725	-5.0
Other services .....	18.2	86.9	-1.3	999	-9.0
Government .....	.3	452.6	.0	1,017	1.2
Harris, TX .....	97.9	2,028.4	-1.1	1,143	-2.6
Private industry .....	97.4	1,766.7	-1.5	1,175	-3.1
Natural resources and mining .....	1.5	82.8	( <sup>4</sup> )	3,483	-5.5
Construction .....	6.7	149.0	-6.5	1,051	.0
Manufacturing .....	4.6	182.5	-2.0	1,411	-7.0
Trade, transportation, and utilities .....	22.3	418.9	-1.5	1,029	-3.1
Information .....	1.4	31.3	-3.4	1,314	-3.2
Financial activities .....	10.5	116.2	-3.9	1,511	-12.7
Professional and business services .....	19.6	321.4	-4.5	1,321	2.1
Education and health services .....	10.4	224.3	3.9	851	1.3
Leisure and hospitality .....	7.7	179.8	1.2	374	-2.3
Other services .....	11.9	59.1	.3	628	-.8
Government .....	.5	261.7	2.2	926	3.7
Maricopa, AZ .....	104.0	1,671.0	-7.4	854	-1.3
Private industry .....	103.3	1,444.9	-8.6	852	-1.3
Natural resources and mining .....	.5	8.5	-1.0	855	-14.2
Construction .....	10.8	100.5	-30.7	877	-.9
Manufacturing .....	3.5	111.9	-11.2	1,227	-2.1
Trade, transportation, and utilities .....	23.2	344.5	-7.7	801	-.7
Information .....	1.7	29.0	-5.0	1,166	.0
Financial activities .....	12.8	137.5	-4.9	1,145	-7.5
Professional and business services .....	23.0	270.4	-11.5	896	3.1
Education and health services .....	10.3	214.8	3.6	875	.0
Leisure and hospitality .....	7.5	178.1	-5.2	398	-1.7
Other services .....	7.3	47.8	-6.5	567	-1.2
Government .....	.7	226.1	.5	868	-1.3

See footnotes at end of table.

22. Continued—Quarterly Census of Employment and Wages: 10 largest counties, first quarter 2009.

County by NAICS supersector	Establishments, first quarter 2009 (thousands)	Employment		Average weekly wage <sup>1</sup>	
		March 2009 (thousands)	Percent change, March 2008-09 <sup>2</sup>	First quarter 2009	Percent change, first quarter 2008-09 <sup>2</sup>
Dallas, TX .....	67.9	1,425.7	-3.3	\$1,085	-3.3
Private industry .....	67.3	1,257.6	-3.8	1,103	-3.9
Natural resources and mining .....	.6	8.3	( <sup>4</sup> )	3,066	-13.0
Construction .....	4.3	76.3	-9.8	942	-8
Manufacturing .....	3.1	123.7	-8.2	1,267	-3.8
Trade, transportation, and utilities .....	15.0	287.9	( <sup>4</sup> )	964	-4.1
Information .....	1.7	46.7	-6.5	1,823	( <sup>4</sup> )
Financial activities .....	8.7	140.3	( <sup>4</sup> )	1,632	-13.3
Professional and business services .....	14.8	255.0	-6.4	1,219	-2.5
Education and health services .....	6.7	154.6	4.5	920	3.1
Leisure and hospitality .....	5.4	126.3	( <sup>4</sup> )	499	-1.4
Other services .....	6.7	37.7	-3.0	624	.8
Government .....	.5	168.0	.7	950	3.6
Orange, CA .....	102.3	1,399.5	-6.8	992	-2.7
Private industry .....	100.9	1,244.8	-7.4	967	-3.6
Natural resources and mining .....	.2	5.1	-16.0	561	-3.4
Construction .....	6.9	78.3	-18.1	1,072	-1.0
Manufacturing .....	5.3	159.9	-8.8	1,148	-3.1
Trade, transportation, and utilities .....	17.3	253.7	-8.5	916	-1
Information .....	1.4	28.2	-4.8	1,567	.8
Financial activities .....	10.7	106.7	( <sup>4</sup> )	1,502	-12.0
Professional and business services .....	19.4	244.0	-10.4	1,121	-2.4
Education and health services .....	10.2	150.7	1.7	873	1.6
Leisure and hospitality .....	7.2	167.0	-4.7	382	-3.3
Other services .....	19.2	47.7	-3.0	513	-4.6
Government .....	1.4	154.7	-1.8	1,188	1.5
San Diego, CA .....	99.6	1,263.0	-4.7	934	-1.1
Private industry .....	98.3	1,035.8	-5.5	916	-1.9
Natural resources and mining .....	.7	9.7	-13.8	540	.7
Construction .....	7.0	64.1	-18.1	975	-3
Manufacturing .....	3.1	99.3	( <sup>4</sup> )	1,309	.2
Trade, transportation, and utilities .....	14.4	197.1	-7.9	744	( <sup>4</sup> )
Information .....	1.3	37.8	-1.2	1,604	-16.1
Financial activities .....	9.4	71.4	-6.0	1,257	-5.6
Professional and business services .....	16.5	201.2	-6.9	1,208	2.7
Education and health services .....	8.3	142.2	3.2	851	1.7
Leisure and hospitality .....	7.0	152.2	-5.6	393	-6.9
Other services .....	27.6	57.4	.2	466	-2.1
Government .....	1.3	227.2	-4	1,017	2.7
King, WA .....	75.4	1,135.9	-3.9	1,127	.2
Private industry .....	74.9	979.2	-4.6	1,136	-.5
Natural resources and mining .....	.4	2.8	-9.6	1,553	-1.2
Construction .....	6.4	57.1	-18.7	1,130	4.1
Manufacturing .....	2.4	104.2	-7.2	1,366	-5.5
Trade, transportation, and utilities .....	14.7	206.7	-5.7	967	1.5
Information .....	1.8	80.7	4.0	2,125	-.9
Financial activities .....	6.8	69.7	-6.7	1,579	-5.0
Professional and business services .....	13.6	176.9	-6.8	1,311	.2
Education and health services .....	6.6	130.4	5.1	857	2.4
Leisure and hospitality .....	6.1	105.0	-4.2	422	-5.8
Other services .....	16.3	45.8	.6	634	5.8
Government .....	.5	156.6	.8	1,074	6.0
Miami-Dade, FL .....	84.7	963.9	-6.1	858	-1.2
Private industry .....	84.4	813.6	-6.9	818	-1.8
Natural resources and mining .....	.5	10.0	-8.8	403	-12.6
Construction .....	6.1	37.7	-25.4	861	6.6
Manufacturing .....	2.6	38.4	-16.7	783	.3
Trade, transportation, and utilities .....	23.0	238.8	-6.0	765	-.6
Information .....	1.5	18.5	-7.1	1,308	-3.5
Financial activities .....	9.8	63.7	-9.0	1,353	-9.7
Professional and business services .....	17.7	124.5	-8.7	992	.1
Education and health services .....	9.4	144.1	1.8	801	1.0
Leisure and hospitality .....	5.9	102.0	-4.2	471	-1.5
Other services .....	7.5	35.3	-5.5	529	-.4
Government .....	.4	150.3	-1.7	1,074	.8

<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 2009.

State	Establishments, first quarter 2009 (thousands)	Employment		Average weekly wage <sup>1</sup>	
		March 2009 (thousands)	Percent change, March 2008-09	First quarter 2009	Percent change, first quarter 2008-09
United States <sup>2</sup> .....	9,113.9	128,992.2	-4.2	\$882	-2.5
Alabama .....	119.2	1,844.6	-5.2	736	-.4
Alaska .....	21.3	303.5	.1	887	2.5
Arizona .....	164.6	2,459.7	-6.9	807	-1.3
Arkansas .....	86.4	1,144.5	-2.9	695	4.2
California .....	1,369.6	14,742.5	-5.0	994	-1.2
Colorado .....	176.6	2,211.0	-3.9	913	-.8
Connecticut .....	113.0	1,620.1	-3.8	1,189	-5.6
Delaware .....	29.3	399.9	-5.1	975	-.8
District of Columbia .....	33.3	679.2	-.1	1,461	-1.9
Florida .....	612.2	7,352.2	-7.0	771	-.8
Georgia .....	274.4	3,835.9	-5.4	831	-1.4
Hawaii .....	39.2	599.1	-4.9	775	.4
Idaho .....	56.7	603.4	-6.3	638	.3
Illinois .....	372.2	5,552.0	-4.2	951	-3.0
Indiana .....	161.3	2,701.1	-5.6	739	-2.4
Iowa .....	94.6	1,432.5	-2.5	709	-.1
Kansas .....	87.3	1,326.2	-2.6	719	-2.3
Kentucky .....	109.1	1,710.0	-4.6	712	-.3
Louisiana .....	124.2	1,867.4	-1.1	772	.8
Maine .....	51.0	563.1	-3.7	688	-1.9
Maryland .....	164.5	2,452.8	-3.1	964	.1
Massachusetts .....	213.0	3,102.8	-3.3	1,101	-3.7
Michigan .....	253.8	3,765.9	-7.2	825	-3.7
Minnesota .....	168.6	2,538.5	-4.0	882	-2.9
Mississippi .....	71.0	1,087.9	-4.5	633	-.2
Missouri .....	173.7	2,618.3	-3.4	771	.1
Montana .....	42.9	413.9	-4.2	628	.5
Nebraska .....	59.6	894.8	-2.0	699	1.7
Nevada .....	76.6	1,150.8	-9.1	810	-3.5
New Hampshire .....	48.8	601.2	-3.2	837	-3.0
New Jersey .....	271.3	3,775.1	-4.0	1,100	-2.8
New Mexico .....	54.9	794.1	-3.5	723	.7
New York .....	588.1	8,332.4	-2.6	1,207	-13.8
North Carolina .....	260.6	3,852.4	-5.2	766	-2.8
North Dakota .....	25.6	341.8	-.4	666	2.0
Ohio .....	293.6	4,937.1	-4.9	790	-1.0
Oklahoma .....	100.5	1,517.0	-2.0	709	-.3
Oregon .....	130.7	1,602.8	-6.3	772	-.6
Pennsylvania .....	342.4	5,449.4	-2.9	862	-.7
Rhode Island .....	35.5	441.8	-4.9	831	-2.4
South Carolina .....	115.3	1,779.4	-5.9	692	-.4
South Dakota .....	30.6	382.9	-1.7	630	-.3
Tennessee .....	142.7	2,586.1	-5.7	751	-1.3
Texas .....	564.9	10,237.9	-1.8	886	-1.9
Utah .....	85.3	1,162.2	-4.6	726	1.1
Vermont .....	24.8	291.7	-3.2	719	-2.0
Virginia .....	232.6	3,541.6	-3.0	920	.1
Washington .....	216.4	2,810.6	-3.8	906	.8
West Virginia .....	48.4	690.2	-1.4	704	4.0
Wisconsin .....	156.8	2,619.0	-4.3	747	-1.6
Wyoming .....	25.1	272.1	-2.0	778	-.1
Puerto Rico .....	53.4	967.1	-4.1	496	1.4
Virgin Islands .....	3.6	44.6	-4.3	685	-3.1

<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>					
1999 .....	7,820,860	127,042,282	\$4,235,579,204	\$33,340	\$641
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
<b>UI covered</b>					
1999 .....	7,771,198	124,255,714	\$4,112,169,533	\$33,094	\$636
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
<b>Private industry covered</b>					
1999 .....	7,560,567	107,619,457	\$3,577,738,557	\$33,244	\$639
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
<b>State government covered</b>					
1999 .....	70,538	4,296,673	\$149,011,194	\$34,681	\$667
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
<b>Local government covered</b>					
1999 .....	140,093	12,339,584	\$385,419,781	\$31,234	\$601
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
<b>Federal government covered (UCFE)</b>					
1999 .....	49,661	2,786,567	\$123,409,672	\$44,287	\$852
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

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 2008**

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 .....	8,737,209	5,347,059	1,405,989	940,355	649,897	221,242	125,680	30,651	10,833	5,503
Employment, March .....	112,661,107	7,726,320	9,317,598	12,712,673	19,590,026	15,200,470	18,769,975	10,490,782	7,355,848	11,497,415
<b>Natural resources and mining</b>										
Establishments, first quarter .....	125,210	70,167	23,540	15,213	10,230	3,338	1,888	574	192	68
Employment, March .....	1,735,716	113,349	155,594	205,063	309,062	229,769	285,052	198,874	129,465	109,488
<b>Construction</b>										
Establishments, first quarter .....	884,900	596,761	135,351	80,118	49,933	14,548	6,455	1,305	337	92
Employment, March .....	7,015,698	820,427	887,949	1,076,415	1,494,411	990,273	953,252	438,169	221,521	133,281
<b>Manufacturing</b>										
Establishments, first quarter .....	360,128	138,761	61,564	53,932	52,329	25,129	18,998	6,052	2,298	1,065
Employment, March .....	13,530,440	239,464	413,129	741,464	1,631,131	1,758,241	2,909,766	2,072,004	1,554,107	2,211,134
<b>Trade, transportation, and utilities</b>										
Establishments, first quarter .....	1,918,453	1,025,889	381,783	253,919	158,449	53,773	34,906	7,571	1,654	509
Employment, March .....	26,025,160	1,686,285	2,543,460	3,411,060	4,758,401	3,726,557	5,155,843	2,600,592	1,090,853	1,052,109
<b>Information</b>										
Establishments, first quarter .....	144,342	82,456	21,073	16,279	13,502	5,634	3,580	1,093	490	235
Employment, March .....	3,007,840	113,866	140,161	222,141	415,963	388,105	542,466	380,246	334,589	470,303
<b>Financial activities</b>										
Establishments, first quarter .....	866,044	571,395	153,677	80,370	39,542	11,675	6,176	1,823	911	475
Employment, March .....	8,002,154	880,298	1,013,702	1,059,248	1,176,225	798,971	929,717	631,696	630,185	882,112
<b>Professional and business services</b>										
Establishments, first quarter .....	1,500,983	1,026,478	199,658	126,947	85,319	32,918	20,556	5,907	2,267	933
Employment, March .....	17,672,891	1,403,930	1,312,525	1,712,339	2,594,343	2,279,648	3,116,492	2,019,588	1,542,704	1,691,322
<b>Education and health services</b>										
Establishments, first quarter .....	838,101	403,555	181,824	119,131	77,795	28,219	19,577	4,258	1,933	1,809
Employment, March .....	17,855,618	715,158	1,208,328	1,604,008	2,344,710	1,961,088	2,946,642	1,449,126	1,343,470	4,283,088
<b>Leisure and hospitality</b>										
Establishments, first quarter .....	729,550	280,079	122,835	135,822	137,270	40,241	10,754	1,610	642	297
Employment, March .....	13,121,259	443,453	829,466	1,908,049	4,122,254	2,674,380	1,523,474	547,993	438,685	633,505
<b>Other services</b>										
Establishments, first quarter .....	1,157,207	946,782	118,658	57,400	25,255	5,738	2,787	458	109	20
Employment, March .....	4,450,274	1,128,799	775,868	757,235	736,119	391,483	406,934	152,494	70,269	31,073

<sup>1</sup> Includes establishments that reported no workers in March 2008.

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 2007 and 2008 for all covered workers<sup>1</sup> by metropolitan area**

Metropolitan area <sup>2</sup>	Average annual wages <sup>3</sup>		
	2007	2008	Percent change, 2007-08
Metropolitan areas <sup>4</sup> .....	\$46,139	\$47,194	2.3
Abilene, TX .....	31,567	32,649	3.4
Aguadilla-Isabela-San Sebastian, PR .....	20,295	20,714	2.1
Akron, OH .....	39,499	40,376	2.2
Albany, GA .....	33,378	34,314	2.8
Albany-Schenectady-Troy, NY .....	42,191	43,912	4.1
Albuquerque, NM .....	38,191	39,342	3.0
Alexandria, LA .....	32,757	34,783	6.2
Allentown-Bethlehem-Easton, PA-NJ .....	41,784	42,500	1.7
Altoona, PA .....	31,988	32,986	3.1
Amarillo, TX .....	35,574	38,215	7.4
Ames, IA .....	37,041	38,558	4.1
Anchorage, AK .....	45,237	46,935	3.8
Anderson, IN .....	32,850	31,326	-4.6
Anderson, SC .....	31,086	32,322	4.0
Ann Arbor, MI .....	49,427	48,987	-0.9
Anniston-Oxford, AL .....	34,593	36,227	4.7
Appleton, WI .....	36,575	37,522	2.6
Asheville, NC .....	33,406	34,070	2.0
Athens-Clarke County, GA .....	34,256	35,503	3.6
Atlanta-Sandy Springs-Marietta, GA .....	48,111	48,064	-0.1
Atlantic City, NJ .....	39,276	40,337	2.7
Auburn-Opelika, AL .....	31,554	32,651	3.5
Augusta-Richmond County, GA-SC .....	36,915	38,068	3.1
Austin-Round Rock, TX .....	46,458	47,355	1.9
Bakersfield, CA .....	38,254	39,476	3.2
Baltimore-Towson, MD .....	47,177	48,438	2.7
Bangor, ME .....	32,829	33,829	3.0
Barnstable Town, MA .....	37,691	38,839	3.0
Baton Rouge, LA .....	39,339	41,961	6.7
Battle Creek, MI .....	40,628	42,782	5.3
Bay City, MI .....	35,680	36,489	2.3
Beaumont-Port Arthur, TX .....	40,682	43,302	6.4
Bellingham, WA .....	34,239	35,864	4.7
Bend, OR .....	34,318	35,044	2.1
Billings, MT .....	35,372	36,155	2.2
Binghamton, NY .....	36,322	37,731	3.9
Birmingham-Hoover, AL .....	42,570	43,651	2.5
Bismarck, ND .....	34,118	35,389	3.7
Blacksburg-Christiansburg-Radford, VA .....	35,248	35,272	0.1
Bloomington, IN .....	32,028	33,220	3.7
Bloomington-Normal, IL .....	42,082	43,918	4.4
Boise City-Nampa, ID .....	37,553	37,315	-0.6
Boston-Cambridge-Quincy, MA-NH .....	59,817	61,128	2.2
Boulder, CO .....	52,745	53,455	1.3
Bowling Green, KY .....	33,308	34,861	4.7
Bremerton-Silverdale, WA .....	39,506	40,421	2.3
Bridgeport-Stamford-Norwalk, CT .....	79,973	80,018	0.1
Brownsville-Harlingen, TX .....	27,126	28,342	4.5
Brunswick, GA .....	32,705	34,458	5.4
Buffalo-Niagara Falls, NY .....	38,218	38,984	2.0
Burlington, NC .....	33,132	34,283	3.5
Burlington-South Burlington, VT .....	41,907	43,559	3.9
Canton-Massillon, OH .....	34,091	34,897	2.4
Cape Coral-Fort Myers, FL .....	37,658	37,866	0.6
Carson City, NV .....	42,030	43,858	4.3
Casper, WY .....	41,105	43,851	6.7
Cedar Rapids, IA .....	41,059	42,356	3.2
Champaign-Urbana, IL .....	35,788	37,408	4.5
Charleston, WV .....	38,687	40,442	4.5
Charleston-North Charleston, SC .....	36,954	38,035	2.9
Charlotte-Gastonia-Concord, NC-SC .....	46,975	47,332	0.8
Charlottesville, VA .....	40,819	41,777	2.3
Chattanooga, TN-GA .....	36,522	37,258	2.0
Cheyenne, WY .....	36,191	37,452	3.5
Chicago-Naperville-Joliet, IL-IN-WI .....	50,823	51,775	1.9
Chico, CA .....	33,207	34,310	3.3
Cincinnati-Middletown, OH-KY-IN .....	42,969	43,801	1.9
Clarksville, TN-KY .....	32,216	32,991	2.4
Cleveland, TN .....	34,666	35,010	1.0
Cleveland-Elyria-Mentor, OH .....	42,783	43,467	1.6
Coeur d'Alene, ID .....	31,035	31,353	1.0
College Station-Bryan, TX .....	32,630	33,967	4.1
Colorado Springs, CO .....	39,745	40,973	3.1
Columbia, MO .....	33,266	34,331	3.2
Columbia, SC .....	36,293	37,514	3.4
Columbus, GA-AL .....	34,511	35,067	1.6
Columbus, IN .....	41,078	42,610	3.7
Columbus, OH .....	42,655	43,533	2.1
Corpus Christi, TX .....	37,186	38,771	4.3
Corvallis, OR .....	41,981	42,343	0.9

See footnotes at end of table.

**26. Continued — Average annual wages for 2007 and 2008 for all covered workers<sup>1</sup> by metropolitan area**

Metropolitan area <sup>2</sup>	Average annual wages <sup>3</sup>		
	2007	2008	Percent change, 2007-08
Cumberland, MD-WV .....	\$31,373	\$32,583	3.9
Dallas-Fort Worth-Arlington, TX .....	49,627	50,331	1.4
Dalton, GA .....	34,433	34,403	-0.1
Danville, IL .....	34,086	35,602	4.4
Danville, VA .....	30,212	30,580	1.2
Davenport-Moline-Rock Island, IA-IL .....	39,385	40,425	2.6
Dayton, OH .....	40,223	40,824	1.5
Decatur, AL .....	35,931	36,855	2.6
Decatur, IL .....	41,039	42,012	2.4
Deltona-Daytona Beach-Ormond Beach, FL .....	32,196	32,938	2.3
Denver-Aurora, CO .....	50,180	51,270	2.2
Des Moines, IA .....	42,895	43,918	2.4
Detroit-Warren-Livonia, MI .....	49,019	50,081	2.2
Dothan, AL .....	32,367	32,965	1.8
Dover, DE .....	35,978	36,375	1.1
Dubuque, IA .....	34,240	35,656	4.1
Duluth, MN-WI .....	35,202	36,307	3.1
Durham, NC .....	52,420	53,700	2.4
Eau Claire, WI .....	32,792	33,549	2.3
El Centro, CA .....	32,419	33,239	2.5
Elizabethtown, KY .....	32,701	33,728	3.1
Elkhart-Goshen, IN .....	36,566	35,858	-1.9
Elmira, NY .....	34,879	36,984	6.0
El Paso, TX .....	31,354	31,837	1.5
Erie, PA .....	34,788	35,992	3.5
Eugene-Springfield, OR .....	34,329	35,380	3.1
Evansville, IN-KY .....	37,182	38,304	3.0
Fairbanks, AK .....	42,345	44,225	4.4
Fajardo, PR .....	22,075	22,984	4.1
Fargo, ND-MN .....	35,264	36,745	4.2
Farmington, NM .....	38,572	41,155	6.7
Fayetteville, NC .....	33,216	34,619	4.2
Fayetteville-Springdale-Rogers, AR-MO .....	37,325	39,025	4.6
Flagstaff, AZ .....	34,473	35,353	2.6
Flint, MI .....	39,310	39,206	-0.3
Florence, SC .....	34,305	34,841	1.6
Florence-Muscie Shoals, AL .....	30,699	32,088	4.5
Fond du Lac, WI .....	34,664	36,166	4.3
Fort Collins-Loveland, CO .....	39,335	40,154	2.1
Fort Smith, AR-OK .....	31,236	32,130	2.9
Fort Walton Beach-Crestview-Destin, FL .....	35,613	36,454	2.4
Fort Wayne, IN .....	36,542	36,806	0.7
Fresno, CA .....	35,111	36,038	2.6
Gadsden, AL .....	30,979	31,718	2.4
Gainesville, FL .....	36,243	37,282	2.9
Gainesville, GA .....	36,994	37,929	2.5
Glens Falls, NY .....	33,564	34,531	2.9
Goldboro, NC .....	30,177	30,607	1.4
Grand Forks, ND-MN .....	30,745	32,207	4.8
Grand Junction, CO .....	36,221	39,246	8.4
Grand Rapids-Wyoming, MI .....	38,953	39,868	2.3
Great Falls, MT .....	31,009	31,962	3.1
Greeley, CO .....	37,066	38,700	4.4
Green Bay, WI .....	37,788	39,247	3.9
Greensboro-High Point, NC .....	37,213	37,919	1.9
Greenville, NC .....	33,703	34,672	2.9
Greenville, SC .....	36,536	37,592	2.9
Guayama, PR .....	26,094	27,189	4.2
Gulfport-Biloxi, MS .....	34,971	35,700	2.1
Hagerstown-Martinsburg, MD-WV .....	35,468	36,472	2.8
Hanford-Corcoran, CA .....	32,504	35,374	8.8
Harrisburg-Carlisle, PA .....	41,424	42,330	2.2
Harrisonburg, VA .....	32,718	34,197	4.5
Hartford-West Hartford-East Hartford, CT .....	54,188	54,446	0.5
Hattiesburg, MS .....	30,729	31,629	2.9
Hickory-Lenoir-Morganton, NC .....	32,364	32,810	1.4
Hinesville-Fort Stewart, GA .....	33,210	33,854	1.9
Holland-Grand Haven, MI .....	37,470	37,953	1.3
Honolulu, HI .....	40,748	42,090	3.3
Hot Springs, AR .....	28,448	29,042	2.1
Houma-Bayou Cane-Thibodaux, LA .....	41,604	44,345	6.6
Houston-Baytown-Sugar Land, TX .....	53,494	55,407	3.6
Huntington-Ashland, WV-KY-OH .....	33,973	35,717	5.1
Huntsville, AL .....	45,763	47,427	3.6
Idaho Falls, ID .....	29,878	30,485	2.0
Indianapolis, IN .....	42,227	43,128	2.1
Iowa City, IA .....	37,457	39,070	4.3
Ithaca, NY .....	39,387	41,689	5.8
Jackson, MI .....	38,267	38,672	1.1
Jackson, MS .....	35,771	36,730	2.7

See footnotes at end of table.



**26. Continued — Average annual wages for 2007 and 2008 for all covered workers<sup>1</sup> by metropolitan area**

Metropolitan area <sup>2</sup>	Average annual wages <sup>3</sup>		
	2007	2008	Percent change, 2007-08
Jackson, TN .....	\$35,059	\$35,975	2.6
Jacksonville, FL .....	41,437	41,524	0.2
Jacksonville, NC .....	27,005	27,893	3.3
Janesville, WI .....	36,790	36,906	0.3
Jefferson City, MO .....	32,903	33,766	2.6
Johnson City, TN .....	31,985	32,759	2.4
Johnstown, PA .....	31,384	32,464	3.4
Jonesboro, AR .....	30,378	31,532	3.8
Joplin, MO .....	31,068	32,156	3.5
Kalamazoo-Portage, MI .....	38,402	40,333	5.0
Kankakee-Bradley, IL .....	33,340	34,451	3.3
Kansas City, MO-KS .....	42,921	44,155	2.9
Kennewick-Richland-Pasco, WA .....	40,439	41,878	3.6
Killeen-Temple-Fort Hood, TX .....	32,915	34,299	4.2
Kingsport-Bristol-Bristol, TN-VA .....	36,399	37,260	2.4
Kingston, NY .....	35,018	35,883	2.5
Knoxville, TN .....	38,386	38,912	1.4
Kokomo, IN .....	47,269	44,117	-6.7
La Crosse, WI-MN .....	32,949	34,078	3.4
Lafayette, IN .....	36,419	37,832	3.9
Lafayette, LA .....	40,684	42,748	5.1
Lake Charles, LA .....	37,447	39,982	6.8
Lakeland, FL .....	34,394	35,195	2.3
Lancaster, PA .....	37,043	38,127	2.9
Lansing-East Lansing, MI .....	40,866	42,339	3.6
Laredo, TX .....	29,009	29,572	1.9
Las Cruces, NM .....	31,422	32,894	4.7
Las Vegas-Paradise, NV .....	42,336	43,120	1.9
Lawrence, KS .....	30,830	32,313	4.8
Lawton, OK .....	30,617	32,258	5.4
Lebanon, PA .....	32,876	33,900	3.1
Lewiston, ID-WA .....	31,961	32,783	2.6
Lewiston-Auburn, ME .....	33,118	34,396	3.9
Lexington-Fayette, KY .....	39,290	40,034	1.9
Lima, OH .....	35,177	35,381	0.6
Lincoln, NE .....	34,750	35,834	3.1
Little Rock-North Little Rock, AR .....	39,305	38,902	-1.0
Logan, UT-ID .....	27,810	29,392	5.7
Longview, TX .....	36,956	38,902	5.3
Longview, WA .....	37,101	37,806	1.9
Los Angeles-Long Beach-Santa Ana, CA .....	50,480	51,520	2.1
Louisville, KY-IN .....	40,125	40,596	1.2
Lubbock, TX .....	32,761	33,867	3.4
Lynchburg, VA .....	34,412	35,207	2.3
Macon, GA .....	34,243	34,823	1.7
Madera, CA .....	33,266	34,405	3.4
Madison, WI .....	41,201	42,623	3.5
Manchester-Nashua, NH .....	49,235	50,629	2.8
Manfield, OH .....	33,109	33,946	2.5
Mayaguez, PR .....	21,326	22,394	5.0
McAllen-Edinburg-Pharr, TX .....	27,651	28,498	3.1
Medford, OR .....	32,877	33,402	1.6
Memphis, TN-MS-AR .....	42,339	43,124	1.9
Merced, CA .....	32,351	33,903	4.8
Miami-Fort Lauderdale-Miami Beach, FL .....	43,428	44,199	1.8
Michigan City-La Porte, IN .....	32,570	33,507	2.9
Midland, TX .....	45,574	50,116	10.0
Milwaukee-Waukesha-West Allis, WI .....	43,261	44,462	2.8
Minneapolis-St. Paul-Bloomington, MN-WI .....	49,542	51,044	3.0
Missoula, MT .....	32,233	33,414	3.7
Mobile, AL .....	36,890	38,180	3.5
Modesto, CA .....	36,739	37,867	3.1
Monroe, LA .....	31,992	32,796	2.5
Monroe, MI .....	41,636	41,849	0.5
Montgomery, AL .....	36,223	37,552	3.7
Morgantown, WV .....	35,241	37,082	5.2
Morristown, TN .....	32,806	32,858	0.2
Mount Vernon-Anacortes, WA .....	34,620	36,230	4.7
Muncie, IN .....	31,326	32,420	3.5
Muskegon-Norton Shores, MI .....	34,982	36,033	3.0
Myrtle Beach-Conway-North Myrtle Beach, SC .....	28,576	28,450	-0.4
Napa, CA .....	44,171	45,061	2.0
Naples-Marco Island, FL .....	41,300	40,178	-2.7
Nashville-Davidson--Murfreesboro, TN .....	42,728	43,964	2.9
New Haven-Milford, CT .....	47,039	48,239	2.6
New Orleans-Metairie-Kenner, LA .....	43,255	45,108	4.3
New York-Northern New Jersey-Long Island, NY-NJ-PA .....	65,685	66,548	1.3
Niles-Benton Harbor, MI .....	38,140	38,814	1.8
Norwich-New London, CT .....	45,463	46,727	2.8
Ocala, FL .....	31,623	32,579	3.0

See footnotes at end of table.

**26. Continued — Average annual wages for 2007 and 2008 for all covered workers<sup>1</sup> by metropolitan area**

Metropolitan area <sup>2</sup>	Average annual wages <sup>3</sup>		
	2007	2008	Percent change, 2007-08
Ocean City, NJ .....	\$32,452	\$33,529	3.3
Odessa, TX .....	41,758	44,316	6.1
Ogden-Clearfield, UT .....	34,067	34,778	2.1
Oklahoma City, OK .....	37,192	39,363	5.8
Olympia, WA .....	39,678	40,714	2.6
Omaha-Council Bluffs, NE-IA .....	39,273	40,097	2.1
Orlando, FL .....	38,633	39,322	1.8
Oshkosh-Neenah, WI .....	41,014	41,781	1.9
Owensboro, KY .....	33,593	34,956	4.1
Oxnard-Thousand Oaks-Ventura, CA .....	47,669	46,490	-2.5
Palm Bay-Melbourne-Titusville, FL .....	40,975	42,089	2.7
Panama City-Lynn Haven, FL .....	33,950	34,361	1.2
Parkersburg-Marietta, WV-OH .....	33,547	35,102	4.6
Pascagoula, MS .....	39,131	42,734	9.2
Pensacola-Ferry Pass-Brent, FL .....	34,165	34,829	1.9
Peoria, IL .....	43,470	44,562	2.5
Philadelphia-Camden-Wilmington, PA-NJ-DE-MD .....	50,611	51,814	2.4
Phoenix-Mesa-Scottsdale, AZ .....	43,697	44,482	1.8
Pine Bluff, AR .....	33,094	34,106	3.1
Pittsburgh, PA .....	42,910	44,124	2.8
Pittsfield, MA .....	38,075	38,957	2.3
Pocatello, ID .....	29,268	30,608	4.6
Ponce, PR .....	21,019	21,818	3.8
Portland-South Portland-Biddeford, ME .....	38,497	39,711	3.2
Portland-Vancouver-Beaverton, OR-WA .....	44,335	45,326	2.2
Port St. Lucie-Fort Pierce, FL .....	36,375	36,174	-0.6
Poughkeepsie-Newburgh-Middletown, NY .....	40,793	42,148	3.3
Prescott, AZ .....	32,048	33,004	3.0
Providence-New Bedford-Fall River, RI-MA .....	40,674	42,141	3.6
Provo-Orem, UT .....	34,141	35,516	4.0
Pueblo, CO .....	32,552	34,055	4.6
Punta Gorda, FL .....	32,833	32,927	0.3
Racine, WI .....	40,746	41,232	1.2
Raleigh-Cary, NC .....	42,801	43,912	2.6
Rapid City, SD .....	31,119	32,227	3.6
Reading, PA .....	39,945	40,691	1.9
Redding, CA .....	34,953	35,655	2.0
Reno-Sparks, NV .....	41,365	42,167	1.9
Richmond, VA .....	44,530	45,244	1.6
Riverside-San Bernardino-Ontario, CA .....	37,846	38,617	2.0
Roanoke, VA .....	35,419	36,475	3.0
Rochester, MN .....	44,786	46,196	3.1
Rochester, NY .....	40,752	41,728	2.4
Rockford, IL .....	38,304	39,210	2.4
Rocky Mount, NC .....	32,527	33,110	1.8
Rome, GA .....	33,041	35,229	6.6
Sacramento-Arden-Arcade-Roseville, CA .....	46,385	47,924	3.3
Saginaw-Saginaw Township North, MI .....	37,507	37,549	0.1
St. Cloud, MN .....	33,996	35,069	3.2
St. George, UT .....	29,052	29,291	0.8
St. Joseph, MO-KS .....	31,828	32,651	2.6
St. Louis, MO-IL .....	42,873	45,419	5.9
Salem, OR .....	33,986	34,891	2.7
Salinas, CA .....	39,419	40,235	2.1
Salisbury, MD .....	34,833	35,901	3.1
Salt Lake City, UT .....	40,935	41,628	1.7
San Angelo, TX .....	30,920	32,852	6.2
San Antonio, TX .....	38,274	38,876	1.6
San Diego-Carlsbad-San Marcos, CA .....	47,657	49,079	3.0
Sandusky, OH .....	33,471	33,760	0.9
San Francisco-Oakland-Fremont, CA .....	64,559	65,100	0.8
San German-Cabo Rojo, PR .....	19,777	19,875	0.5
San Jose-Sunnyvale-Santa Clara, CA .....	82,038	80,063	-2.4
San Juan-Caguas-Guaynabo, PR .....	25,939	26,839	3.5
San Luis Obispo-Paso Robles, CA .....	36,740	38,134	3.8
Santa Barbara-Santa Maria-Goleta, CA .....	41,967	42,617	1.5
Santa Cruz-Watsonville, CA .....	41,540	41,471	-0.2
Santa Fe, NM .....	37,395	38,646	3.3
Santa Rosa-Petaluma, CA .....	42,824	43,757	2.2
Sarasota-Bradenton-Venice, FL .....	36,424	36,781	1.0
Savannah, GA .....	36,695	37,846	3.1
Scranton-Wilkes-Barre, PA .....	34,205	34,902	2.0
Seattle-Tacoma-Bellevue, WA .....	51,924	53,667	3.4
Sheboygan, WI .....	37,049	37,834	2.1
Sherman-Denison, TX .....	35,672	36,081	1.1
Shreveport-Bossier City, LA .....	34,892	36,308	4.1
Sioux City, IA-NE-SD .....	33,025	34,326	3.9
Sioux Falls, SD .....	36,056	36,982	2.6
South Bend-Mishawaka, IN-MI .....	36,266	37,654	3.8
Spartanburg, SC .....	37,967	39,313	3.5

See footnotes at end of table.

**26. Continued — Average annual wages for 2007 and 2008 for all covered workers<sup>1</sup> by metropolitan area**

Metropolitan area <sup>2</sup>	Average annual wages <sup>3</sup>		
	2007	2008	Percent change, 2007-08
Spokane, WA .....	\$35,539	\$36,792	3.5
Springfield, IL .....	42,420	44,416	4.7
Springfield, MA .....	39,487	40,969	3.8
Springfield, MO .....	31,868	32,971	3.5
Springfield, OH .....	32,017	33,158	3.6
State College, PA .....	36,797	38,050	3.4
Stockton, CA .....	37,906	39,075	3.1
Sumter, SC .....	30,267	30,842	1.9
Syracuse, NY .....	39,620	40,554	2.4
Tallahassee, FL .....	36,543	37,433	2.4
Tampa-St. Petersburg-Clearwater, FL .....	39,215	40,521	3.3
Terre Haute, IN .....	32,349	33,562	3.7
Texarkana, TX-Texarkana, AR .....	34,079	35,002	2.7
Toledo, OH .....	38,538	39,686	3.0
Topeka, KS .....	36,109	36,714	1.7
Trenton-Ewing, NJ .....	56,645	60,135	6.2
Tucson, AZ .....	38,524	39,973	3.8
Tulsa, OK .....	38,942	40,205	3.2
Tuscaloosa, AL .....	36,737	37,949	3.3
Tyler, TX .....	37,184	38,817	4.4
Utica-Rome, NY .....	33,916	34,936	3.0
Valdosta, GA .....	27,842	29,288	5.2
Vallejo-Fairfield, CA .....	42,932	45,264	5.4
Vero Beach, FL .....	35,901	36,557	1.8
Victoria, TX .....	38,317	39,888	4.1
Vineland-Millville-Bridgeton, NJ .....	39,408	40,709	3.3
Virginia Beach-Norfolk-Newport News, VA-NC .....	37,734	38,696	2.5
Visalia-Porterville, CA .....	30,968	32,018	3.4
Waco, TX .....	34,679	35,698	2.9
Warner Robins, GA .....	39,220	40,457	3.2
Washington-Arlington-Alexandria, DC-VA-MD-WV .....	60,711	62,653	3.2
Waterloo-Cedar Falls, IA .....	35,899	37,363	4.1
Wausau, WI .....	35,710	36,477	2.1
Weirton-Steubenville, WV-OH .....	32,893	35,356	7.5
Wenatchee, WA .....	29,475	30,750	4.3
Wheeling, WV-OH .....	31,169	32,915	5.6
Wichita, KS .....	39,662	40,423	1.9
Wichita Falls, TX .....	32,320	34,185	5.8
Williamsport, PA .....	32,506	33,340	2.6
Wilmington, NC .....	34,239	35,278	3.0
Winchester, VA-WV .....	36,016	37,035	2.8
Winston-Salem, NC .....	38,921	39,770	2.2
Worcester, MA .....	44,652	45,955	2.9
Yakima, WA .....	29,743	30,821	3.6
Yauco, PR .....	19,380	19,821	2.3
York-Hanover, PA .....	38,469	39,379	2.4
Youngstown-Warren-Boardman, OH-PA .....	34,698	34,403	-0.9
Yuba City, CA .....	35,058	36,538	4.2
Yuma, AZ .....	30,147	31,351	4.0

<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	1998 <sup>1</sup>	1999 <sup>1</sup>	2000 <sup>1</sup>	2001 <sup>1</sup>	2002	2003	2004	2005	2006	2007	2008
Civilian noninstitutional population.....	205,220	207,753	212,577	215,092	217,570	221,168	223,357	226,082	228,815	231,867	233,788
Civilian labor force.....	137,673	139,368	142,583	143,734	144,863	146,510	147,401	149,320	151,428	153,124	154,287
Labor force participation rate.....	67.1	67.1	67.1	66.8	66.6	66.2	66.0	66.0	66.2	66.0	66.0
Employed.....	131,463	133,488	136,891	136,933	136,485	137,736	139,252	141,730	144,427	146,047	145,362
Employment-population ratio.....	64.1	64.3	64.4	63.7	62.7	62.3	62.3	62.7	63.1	63.0	62.2
Unemployed.....	6,210	5,880	5,692	6,801	8,378	8,774	8,149	7,591	7,001	7,078	8,924
Unemployment rate.....	4.5	4.2	4.0	4.7	5.8	6.0	5.5	5.1	4.6	4.6	5.8
Not in the labor force.....	67,547	68,385	69,994	71,359	72,707	74,658	75,956	76,762	77,387	78,743	79,501

<sup>1</sup> Not strictly comparable with prior years.

**28. Annual data: Employment levels by industry**

[In thousands]

Industry	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Total private employment.....	106,021	108,686	110,995	110,708	108,828	108,416	109,814	111,899	114,113	115,420	114,792
Total nonfarm employment.....	125,930	128,993	131,785	131,826	130,341	129,999	131,435	133,703	136,086	137,623	137,248
Goods-producing.....	24,354	24,465	24,649	23,873	22,557	21,816	21,882	22,190	22,531	22,221	21,404
Natural resources and mining.....	645	598	599	606	583	572	591	628	684	723	774
Construction.....	6,149	6,545	6,787	6,826	6,716	6,735	6,976	7,336	7,691	7,614	7,175
Manufacturing.....	17,560	17,322	17,263	16,441	15,259	14,510	14,315	14,226	14,155	13,884	13,455
Private service-providing.....	81,667	84,221	86,346	86,834	86,271	86,600	87,932	89,709	91,582	93,199	93,387
Trade, transportation, and utilities.....	25,186	25,771	26,225	25,983	25,497	25,287	25,533	25,959	26,276	26,608	26,332
Wholesale trade.....	5,795	5,893	5,933	5,773	5,652	5,608	5,663	5,764	5,905	6,028	6,012
Retail trade.....	14,609	14,970	15,280	15,239	15,025	14,917	15,058	15,280	15,353	15,491	15,265
Transportation and warehousing.....	4,168	4,300	4,410	4,372	4,224	4,185	4,249	4,361	4,470	4,536	4,495
Utilities.....	613	609	601	599	596	577	564	554	549	553	560
Information.....	3,218	3,419	3,630	3,629	3,395	3,188	3,118	3,061	3,038	3,029	2,987
Financial activities.....	7,462	7,648	7,687	7,808	7,847	7,977	8,031	8,153	8,328	8,308	8,192
Professional and business services.....	15,147	15,957	16,666	16,476	15,976	15,987	16,394	16,954	17,566	17,962	17,863
Education and health services.....	14,446	14,798	15,109	15,645	16,199	16,588	16,953	17,372	17,826	18,327	18,878
Leisure and hospitality.....	11,232	11,543	11,862	12,036	11,986	12,173	12,493	12,816	13,110	13,474	13,615
Other services.....	4,976	5,087	5,168	5,258	5,372	5,401	5,409	5,395	5,438	5,491	5,520
Government.....	19,909	20,307	20,790	21,118	21,513	21,583	21,621	21,804	21,974	22,203	22,457

**29. Annual data: Average hours and earnings of production or nonsupervisory workers on nonfarm payrolls, by industry**

Industry	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<b>Private sector:</b>											
Average weekly hours.....	34.5	34.3	34.3	34.0	33.9	33.7	33.7	33.8	33.9	33.8	33.6
Average hourly earnings (in dollars).....	13.01	13.49	14.02	14.54	14.97	15.37	15.69	16.13	16.76	17.42	18.05
Average weekly earnings (in dollars).....	448.56	463.15	481.01	493.79	506.75	518.06	529.09	544.33	567.87	589.72	606.84
<b>Goods-producing:</b>											
Average weekly hours.....	40.8	40.8	40.7	39.9	39.9	39.8	40.0	40.1	40.5	40.6	40.2
Average hourly earnings (in dollars).....	14.23	14.71	15.27	15.78	16.33	16.80	17.19	17.60	18.02	18.67	19.31
Average weekly earnings (in dollars).....	580.99	599.99	621.86	630.01	651.61	669.13	688.13	705.31	730.16	757.06	775.28
<b>Natural resources and mining</b>											
Average weekly hours.....	44.9	44.2	44.4	44.6	43.2	43.6	44.5	45.6	45.6	45.9	45.0
Average hourly earnings (in dollars).....	16.20	16.33	16.55	17.00	17.19	17.56	18.07	18.72	19.90	20.96	22.42
Average weekly earnings (in dollars).....	727.28	721.74	734.92	757.92	741.97	765.94	803.82	853.71	907.95	961.78	1008.27
<b>Construction:</b>											
Average weekly hours.....	38.8	39.0	39.2	38.7	38.4	38.4	38.3	38.6	39.0	39.0	38.5
Average hourly earnings (in dollars).....	16.23	16.80	17.48	18.00	18.52	18.95	19.23	19.46	20.02	20.95	21.86
Average weekly earnings (in dollars).....	629.75	655.11	685.78	695.89	711.82	726.83	735.55	750.22	781.21	816.06	841.46
<b>Manufacturing:</b>											
Average weekly hours.....	41.4	41.4	41.3	40.3	40.5	40.4	40.8	40.7	41.1	41.2	40.8
Average hourly earnings (in dollars).....	13.45	13.85	14.32	14.76	15.29	15.74	16.14	16.56	16.81	17.26	17.72
Average weekly earnings (in dollars).....	557.09	573.25	590.77	595.19	618.75	635.99	658.49	673.33	691.02	711.36	723.51
<b>Private service-providing:</b>											
Average weekly hours.....	32.8	32.7	32.7	32.5	32.5	32.3	32.3	32.4	32.5	32.4	32.3
Average hourly earnings (in dollars).....	12.61	13.09	13.62	14.18	14.59	14.99	15.29	15.74	16.42	17.10	17.73
Average weekly earnings (in dollars).....	413.50	427.98	445.74	461.08	473.80	484.68	494.22	509.58	532.78	554.78	572.96
<b>Trade, transportation, and utilities:</b>											
Average weekly hours.....	34.2	33.9	33.8	33.5	33.6	33.6	33.5	33.4	33.4	33.3	33.2
Average hourly earnings (in dollars).....	12.39	12.82	13.31	13.70	14.02	14.34	14.58	14.92	15.39	15.79	16.19
Average weekly earnings (in dollars).....	423.30	434.31	449.88	459.53	471.27	481.14	488.42	498.43	514.34	526.38	537.00
<b>Wholesale trade:</b>											
Average weekly hours.....	38.6	38.6	38.8	38.4	38.0	37.9	37.8	37.7	38.0	38.2	38.2
Average hourly earnings (in dollars).....	15.07	15.62	16.28	16.77	16.98	17.36	17.65	18.16	18.91	19.59	20.13
Average weekly earnings (in dollars).....	582.21	602.77	631.40	643.45	644.38	657.29	667.09	685.00	718.63	748.90	769.74
<b>Retail trade:</b>											
Average weekly hours.....	30.9	30.8	30.7	30.7	30.9	30.9	30.7	30.6	30.5	30.2	30.0
Average hourly earnings (in dollars).....	10.05	10.45	10.86	11.29	11.67	11.90	12.08	12.36	12.57	12.76	12.90
Average weekly earnings (in dollars).....	582.21	602.77	631.40	643.45	644.38	657.29	667.09	685.00	718.63	748.90	769.74
<b>Transportation and warehousing:</b>											
Average weekly hours.....	38.7	37.6	37.4	36.7	36.8	36.8	37.2	37.0	36.9	36.9	36.4
Average hourly earnings (in dollars).....	14.12	14.55	15.05	15.33	15.76	16.25	16.52	16.70	17.28	17.73	18.39
Average weekly earnings (in dollars).....	546.86	547.97	562.31	562.70	579.75	598.41	614.82	618.58	636.97	654.83	669.44
<b>Utilities:</b>											
Average weekly hours.....	42.0	42.0	42.0	41.4	40.9	41.1	40.9	41.1	41.4	42.4	42.6
Average hourly earnings (in dollars).....	21.48	22.03	22.75	23.58	23.96	24.77	25.61	26.68	27.40	27.87	28.84
Average weekly earnings (in dollars).....	902.94	924.59	955.66	977.18	979.09	1017.27	1048.44	1095.90	1135.34	1182.17	1230.08
<b>Information:</b>											
Average weekly hours.....	36.6	36.7	36.8	36.9	36.5	36.2	36.3	36.5	36.6	36.5	36.7
Average hourly earnings (in dollars).....	17.67	18.40	19.07	19.80	20.20	21.01	21.40	22.06	23.23	23.94	24.74
Average weekly earnings (in dollars).....	646.34	675.47	700.86	730.88	737.77	760.45	777.25	805.08	850.42	873.63	907.02
<b>Financial activities:</b>											
Average weekly hours.....	36.0	35.8	35.9	35.8	35.6	35.5	35.5	35.9	35.7	35.9	35.9
Average hourly earnings (in dollars).....	13.93	14.47	14.98	15.59	16.17	17.14	17.52	17.95	18.80	19.64	20.28
Average weekly earnings (in dollars).....	500.98	517.57	537.37	557.92	575.54	609.08	622.87	644.99	672.21	705.29	727.38
<b>Professional and business services:</b>											
Average weekly hours.....	34.3	34.4	34.5	34.2	34.2	34.1	34.2	34.2	34.6	34.8	34.8
Average hourly earnings (in dollars).....	14.27	14.85	15.52	16.33	16.81	17.21	17.48	18.08	19.13	20.13	21.15
Average weekly earnings (in dollars).....	490.00	510.99	535.07	557.84	574.66	587.02	597.56	618.87	662.27	700.15	736.55
<b>Education and health services:</b>											
Average weekly hours.....	32.2	32.1	32.2	32.3	32.4	32.3	32.4	32.6	32.5	32.6	32.5
Average hourly earnings (in dollars).....	13.00	13.44	13.95	14.64	15.21	15.64	16.15	16.71	17.38	18.11	18.78
Average weekly earnings (in dollars).....	418.82	431.35	449.29	473.39	492.74	505.69	523.78	544.59	564.94	590.18	611.03
<b>Leisure and hospitality:</b>											
Average weekly hours.....	26.2	26.1	26.1	25.8	25.8	25.6	25.7	25.7	25.7	25.5	25.2
Average hourly earnings (in dollars).....	7.67	7.96	8.32	8.57	8.81	9.00	9.15	9.38	9.75	10.41	10.83
Average weekly earnings (in dollars).....	200.82	208.05	217.20	220.73	227.17	230.42	234.86	241.36	250.34	265.45	272.97
<b>Other services:</b>											
Average weekly hours.....	32.6	32.5	32.5	32.3	32.0	31.4	31.0	30.9	30.9	30.9	30.8
Average hourly earnings (in dollars).....	11.79	12.26	12.73	13.27	13.72	13.84	13.98	14.34	14.77	15.42	15.86
Average weekly earnings (in dollars).....	384.25	398.77	413.41	428.64	439.76	434.41	433.04	443.37	456.50	476.80	488.22

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	2007		2008				2009			Percent change	
	Sept.	Dec.	Mar.	June	Sept.	Dec.	Mar.	June	Sept.	3 months ended	12 months ended
	Sept. 2009										
<b>Civilian workers<sup>2</sup></b> .....	106.1	106.7	107.6	108.3	109.2	109.5	109.9	110.3	110.8	0.5	1.5
Workers by occupational group											
Management, professional, and related.....	106.7	107.2	108.3	109.0	110.1	110.4	110.9	111.1	111.5	.4	1.3
Management, business, and financial.....	106.2	106.6	108.2	108.9	109.7	109.8	110.0	110.1	110.2	.1	.5
Professional and related.....	107.0	107.6	108.4	109.0	110.4	110.7	111.3	111.6	112.2	.5	1.6
Sales and office.....	105.5	106.4	106.8	107.7	108.2	108.3	108.4	108.7	109.4	.6	1.1
Sales and related.....	104.1	105.2	105.0	106.1	106.0	105.5	104.3	104.5	105.4	.9	-.6
Office and administrative support.....	106.4	107.1	108.0	108.6	109.5	110.0	110.8	111.3	111.8	.4	2.1
Natural resources, construction, and maintenance.....	106.1	106.8	107.7	108.4	109.3	109.8	110.1	110.7	111.2	.5	1.7
Construction and extraction.....	106.5	107.4	108.5	109.6	110.3	110.8	111.0	111.6	112.2	.5	1.7
Installation, maintenance, and repair.....	105.6	106.2	106.7	107.0	108.0	108.6	109.1	109.5	110.0	.5	1.9
Production, transportation, and material moving.....	104.2	104.7	105.6	106.2	106.9	107.2	108.0	108.5	109.1	.6	2.1
Production.....	103.3	104.1	104.8	105.3	105.9	106.2	107.2	107.7	108.1	.4	2.1
Transportation and material moving.....	105.3	105.6	106.6	107.3	108.1	108.4	108.9	109.5	110.2	.6	1.9
Service occupations.....	106.9	107.7	108.4	109.1	110.2	110.6	111.5	111.9	112.6	.6	2.2
Workers by industry											
Goods-producing.....	104.4	105.0	106.1	106.8	107.3	107.5	108.0	108.2	108.5	.3	1.1
Manufacturing.....	103.2	103.8	104.7	105.1	105.6	105.9	106.5	106.7	106.8	.1	1.1
Service-providing.....	106.4	107.0	107.8	108.5	109.5	109.8	110.3	110.6	111.3	.6	1.6
Education and health services.....	107.2	107.9	108.6	109.2	110.8	111.1	111.7	112.2	113.2	.9	2.2
Health care and social assistance.....	107.1	107.9	108.9	109.6	110.4	110.8	111.7	112.2	112.8	.5	2.2
Hospitals.....	106.7	107.5	108.4	109.2	110.2	110.8	111.7	112.3	112.9	.5	2.5
Nursing and residential care facilities.....	105.6	106.3	107.3	108.2	109.0	109.6	110.3	110.8	111.3	.5	2.1
Education services.....	107.3	107.9	108.3	108.9	111.1	111.3	111.8	112.1	113.5	1.2	2.2
Elementary and secondary schools.....	107.4	107.9	108.2	108.8	111.1	111.4	111.9	112.1	113.9	1.6	2.5
Public administration <sup>3</sup> .....	108.0	109.1	109.7	110.1	111.6	112.0	113.0	113.8	114.5	.6	2.6
<b>Private industry workers</b> .....	105.7	106.3	107.3	108.0	108.7	108.9	109.3	109.6	110.0	.4	1.2
Workers by occupational group											
Management, professional, and related.....	106.4	106.8	108.1	108.9	109.6	109.9	110.4	110.5	110.6	.1	.9
Management, business, and financial.....	106.0	106.3	108.0	108.7	109.3	109.5	109.6	109.7	109.7	.0	.4
Professional and related.....	106.7	107.3	108.3	109.0	109.9	110.3	111.0	111.1	111.4	.3	1.4
Sales and office.....	105.3	106.1	106.6	107.5	107.9	107.9	107.9	108.3	108.8	.5	.8
Sales and related.....	104.2	105.2	105.0	106.2	106.0	105.5	104.3	104.5	105.3	.8	-.7
Office and administrative support.....	106.0	106.7	107.8	108.5	109.2	109.6	110.5	110.9	111.3	.4	1.9
Natural resources, construction, and maintenance.....	105.9	106.7	107.6	108.3	109.0	109.6	109.9	110.3	110.9	.5	1.7
Construction and extraction.....	106.5	107.4	108.6	109.7	110.3	110.8	110.9	111.5	112.0	.4	1.5
Installation, maintenance, and repair.....	105.2	105.8	106.3	106.6	107.4	108.1	108.6	108.9	109.4	.5	1.9
Production, transportation, and material moving.....	103.9	104.5	105.5	106.0	106.6	106.9	107.7	108.1	108.6	.5	1.9
Production.....	103.2	104.0	104.8	105.2	105.8	106.1	107.1	107.6	108.0	.4	2.1
Transportation and material moving.....	104.9	105.3	106.4	107.2	107.7	107.9	108.4	108.9	109.6	.6	1.8
Service occupations.....	106.4	107.0	107.8	108.7	109.4	109.8	110.7	110.9	111.7	.7	2.1
Workers by industry and occupational group											
Goods-producing industries.....	104.4	105.0	106.1	106.8	107.2	107.5	107.9	108.2	108.4	.2	1.1
Management, professional, and related.....	104.3	104.4	106.1	106.6	106.7	106.6	106.8	106.7	106.5	-.2	-.2
Sales and office.....	104.1	104.8	105.1	106.3	106.7	107.1	107.3	107.4	107.5	.1	.7
Natural resources, construction, and maintenance.....	106.1	107.0	108.1	109.0	109.8	110.4	110.4	110.9	111.3	.4	1.4
Production, transportation, and material moving.....	103.3	104.0	104.8	105.3	105.8	106.2	107.0	107.5	107.8	.3	1.9
Construction.....	106.9	107.6	108.9	110.1	110.6	110.9	110.9	111.2	111.5	.3	.8
Manufacturing.....	103.2	103.8	104.7	105.1	105.6	105.9	106.5	106.7	106.8	.1	1.1
Management, professional, and related.....	103.3	103.5	104.9	105.2	105.4	105.4	105.7	105.7	105.4	-.3	.0
Sales and office.....	103.5	104.3	105.0	106.1	106.7	107.0	107.3	107.1	107.2	.1	.5
Natural resources, construction, and maintenance.....	102.8	103.9	104.6	104.5	105.3	106.0	106.6	107.1	107.4	.3	2.0
Production, transportation, and material moving.....	103.1	103.8	104.5	105.0	105.5	105.8	106.7	107.2	107.5	.3	1.9
Service-providing industries.....	106.1	106.7	107.7	108.5	109.1	109.4	109.8	110.1	110.5	.4	1.3
Management, professional, and related.....	106.8	107.3	108.5	109.3	110.2	110.6	111.1	111.2	111.4	.2	1.1
Sales and office.....	105.4	106.3	106.8	107.7	108.0	108.0	108.0	108.4	109.0	.6	.9
Natural resources, construction, and maintenance.....	105.7	106.2	106.7	107.3	107.8	108.4	109.0	109.5	110.1	.5	2.1
Production, transportation, and material moving.....	104.7	105.2	106.4	107.0	107.6	107.8	108.5	109.0	109.7	.6	2.0
Service occupations.....	106.4	107.1	107.9	108.7	109.5	109.8	110.7	111.0	111.7	.6	2.0
Trade, transportation, and utilities.....	104.7	105.5	106.1	107.3	107.6	107.5	107.8	108.1	108.6	.5	.9

See footnotes at end of table.

30. Continued—Employment Cost Index, compensation,<sup>1</sup> by occupation and industry group

[December 2005 = 100]

Series	2007		2008				2009			Percent change	
	Sept.	Dec.	Mar.	June	Sept.	Dec.	Mar.	June	Sept.	3 months ended	12 months ended
										Sept. 2009	
Wholesale trade.....	104.2	105.3	105.7	107.2	107.1	106.8	107.1	106.9	106.8	-0.1	-0.3
Retail trade.....	105.1	106.1	106.6	107.6	108.2	108.1	108.3	108.8	109.7	.8	1.4
Transportation and warehousing.....	104.5	104.5	105.6	106.4	106.8	106.9	107.4	107.9	108.3	.4	1.4
Utilities.....	105.0	105.6	106.5	108.1	108.1	108.9	109.6	110.9	111.2	.3	2.9
Information.....	105.8	106.1	106.1	106.2	107.2	107.4	107.7	107.5	108.0	.5	.7
Financial activities.....	105.4	105.6	106.8	107.3	107.4	107.1	106.8	107.9	108.3	.4	.8
Finance and insurance.....	105.7	106.1	107.0	107.7	107.6	107.2	106.9	108.1	108.6	.5	.9
Real estate and rental and leasing.....	104.1	103.7	105.5	105.7	106.4	106.6	106.6	106.9	107.4	.5	.9
Professional and business services.....	106.9	107.5	109.0	109.9	110.8	111.6	111.9	111.9	112.1	.2	1.2
Education and health services.....	106.9	107.7	108.6	109.4	110.3	110.6	111.5	111.9	112.6	.6	2.1
Education services.....	106.7	107.5	108.1	109.1	111.4	111.3	111.9	112.0	113.2	1.1	1.6
Health care and social assistance.....	106.9	107.8	108.8	109.4	110.1	110.5	111.5	111.9	112.5	.5	2.2
Hospitals.....	106.5	107.3	108.2	109.1	110.1	110.7	111.5	112.0	112.6	.5	2.3
Leisure and hospitality.....	107.5	108.1	109.0	109.3	110.6	111.4	112.2	112.0	112.7	.6	1.9
Accommodation and food services.....	108.1	108.6	109.5	110.0	111.4	112.1	113.0	112.6	113.4	.7	1.8
Other services, except public administration.....	107.1	107.6	108.7	109.4	109.9	109.9	110.8	110.8	111.8	.9	1.7
<b>State and local government workers.....</b>	<b>107.6</b>	<b>108.4</b>	<b>108.9</b>	<b>109.4</b>	<b>111.3</b>	<b>111.6</b>	<b>112.3</b>	<b>112.9</b>	<b>114.0</b>	<b>1.0</b>	<b>2.4</b>
Workers by occupational group											
Management, professional, and related.....	107.5	108.3	108.8	109.3	111.3	111.6	112.0	112.6	113.7	1.0	2.2
Professional and related.....	107.5	108.2	108.6	109.1	111.1	111.4	111.9	112.4	113.7	1.2	2.3
Sales and office.....	107.9	108.6	108.8	109.3	111.0	111.3	112.4	113.0	114.3	1.2	3.0
Office and administrative support.....	108.2	108.9	109.3	109.8	111.4	111.8	112.8	113.3	114.7	1.2	3.0
Service occupations.....	108.0	109.1	109.7	110.0	111.9	112.4	113.4	114.0	114.9	.8	2.7
Workers by industry											
Education and health services.....	107.5	108.2	108.6	109.1	111.2	111.5	111.9	112.4	113.7	1.2	2.2
Education services.....	107.4	108.0	108.4	108.8	111.0	111.2	111.8	112.1	113.5	1.2	2.3
Schools.....	107.4	108.0	108.4	108.8	111.0	111.2	111.8	112.1	113.5	1.2	2.3
Elementary and secondary schools.....	107.4	108.0	108.3	108.8	111.1	111.4	112.0	112.2	114.0	1.6	2.6
Health care and social assistance.....	108.6	109.3	110.1	111.1	112.7	113.2	113.3	114.8	115.3	.4	2.3
Hospitals.....	107.5	108.2	109.2	109.7	110.8	111.3	112.4	113.5	114.0	.4	2.9
Public administration <sup>3</sup> .....	108.0	109.1	109.7	110.1	111.6	112.0	113.0	113.8	114.5	.6	2.6

<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	2007		2008				2009			Percent change	
	Sept.	Dec.	Mar.	June	Sept.	Dec.	Mar.	June	Sept.	3 months ended	12 months ended
										Sept. 2009	
<b>Civilian workers<sup>1</sup></b> .....	106.0	106.7	107.6	108.4	109.3	109.6	110.0	110.4	110.9	0.5	1.5
Workers by occupational group											
Management, professional, and related.....	106.6	107.1	108.2	109.0	110.1	110.5	111.0	111.2	111.5	.3	1.3
Management, business, and financial.....	106.4	106.7	108.2	109.0	109.8	110.1	110.4	110.5	110.6	.1	.7
Professional and related.....	106.7	107.4	108.3	109.0	110.3	110.7	111.2	111.5	112.1	.5	1.6
Sales and office.....	105.4	106.2	106.7	107.7	108.1	108.1	108.1	108.6	109.2	.6	1.0
Sales and related.....	104.3	105.5	105.2	106.6	106.3	105.6	104.3	104.7	105.7	1.0	-.6
Office and administrative support.....	106.1	106.8	107.8	108.5	109.3	109.8	110.6	111.2	111.6	.4	2.1
Natural resources, construction, and maintenance.....	106.3	107.1	108.1	109.0	109.9	110.6	110.7	111.2	111.7	.4	1.6
Construction and extraction.....	106.6	107.7	109.0	109.9	110.7	111.3	111.4	111.8	112.3	.4	1.4
Installation, maintenance, and repair.....	105.8	106.4	107.0	107.8	108.8	109.6	110.0	110.5	111.1	.5	2.1
Production, transportation, and material moving.....	104.7	105.1	106.1	106.9	107.7	108.0	108.5	109.0	109.6	.6	1.8
Production.....	104.3	104.7	105.7	106.5	107.2	107.5	108.2	108.7	109.2	.5	1.9
Transportation and material moving.....	105.1	105.5	106.6	107.3	108.2	108.5	108.8	109.5	110.2	.6	1.8
Service occupations.....	106.5	107.3	108.0	108.7	109.9	110.3	111.2	111.6	112.4	.7	2.3
Workers by industry											
Goods-producing.....	105.4	106.0	107.1	108.0	108.6	109.0	109.2	109.5	109.8	.3	1.1
Manufacturing.....	104.5	104.9	105.9	106.7	107.4	107.7	108.1	108.4	108.6	.2	1.1
Service-providing.....	106.2	106.8	107.7	108.5	109.4	109.7	110.2	110.5	111.1	.5	1.6
Education and health services.....	106.6	107.4	108.0	108.7	110.2	110.5	111.0	111.4	112.3	.8	1.9
Health care and social assistance.....	107.1	107.9	108.9	109.6	110.4	110.9	111.7	112.2	112.8	.5	2.2
Hospitals.....	106.7	107.4	108.4	109.4	110.5	111.3	112.0	112.6	113.2	.5	2.4
Nursing and residential care facilities.....	105.8	106.4	107.4	108.1	109.1	109.7	110.3	110.9	111.4	.5	2.1
Education services.....	106.2	106.9	107.3	107.9	110.0	110.2	110.5	110.7	111.8	1.0	1.6
Elementary and secondary schools.....	106.0	106.6	107.0	107.5	109.9	110.1	110.4	110.5	112.0	1.4	1.9
Public administration <sup>2</sup> .....	106.4	107.4	108.2	108.6	109.9	110.4	111.3	112.3	112.8	.4	2.6
<b>Private industry workers</b> .....	106.0	106.6	107.6	108.4	109.1	109.4	109.8	110.1	110.6	.5	1.4
Workers by occupational group											
Management, professional, and related.....	106.7	107.2	108.5	109.3	110.1	110.5	111.1	111.1	111.3	.2	1.1
Management, business, and financial.....	106.3	106.6	108.2	109.0	109.7	110.0	110.3	110.3	110.4	.1	.6
Professional and related.....	107.0	107.6	108.7	109.5	110.4	110.9	111.6	111.8	112.1	.3	1.5
Sales and office.....	105.3	106.2	106.7	107.7	108.0	108.0	107.9	108.3	109.0	.6	.9
Sales and related.....	104.4	105.5	105.3	106.6	106.4	105.7	104.3	104.7	105.7	1.0	-.7
Office and administrative support.....	106.0	106.7	107.7	108.5	109.2	109.7	110.6	111.1	111.4	.3	2.0
Natural resources, construction, and maintenance.....	106.2	107.1	108.1	109.0	109.8	110.5	110.6	111.0	111.6	.5	1.6
Construction and extraction.....	106.7	107.8	109.2	110.1	110.8	111.5	111.4	111.7	112.3	.5	1.4
Installation, maintenance, and repair.....	105.6	106.1	106.8	107.6	108.5	109.3	109.7	110.2	110.7	.5	2.0
Production, transportation, and material moving.....	104.5	105.0	106.0	106.8	107.5	107.8	108.3	108.8	109.4	.6	1.8
Production.....	104.2	104.6	105.6	106.4	107.2	107.4	108.1	108.5	109.0	.5	1.7
Transportation and material moving.....	105.0	105.4	106.5	107.4	108.0	108.3	108.5	109.2	109.9	.6	1.8
Service occupations.....	106.5	107.1	107.9	108.8	109.7	110.1	111.0	111.2	112.1	.8	2.2
Workers by industry and occupational group											
Goods-producing industries.....	105.4	106.0	107.1	108.0	108.6	109.0	109.2	109.5	109.8	.3	1.1
Management, professional, and related.....	105.9	106.0	107.7	108.4	108.7	108.8	109.3	109.3	109.4	.1	.6
Sales and office.....	104.7	105.5	105.8	107.2	107.6	107.9	108.1	108.3	108.4	.1	.7
Natural resources, construction, and maintenance.....	106.5	107.6	108.8	109.6	110.5	111.3	111.1	111.4	111.9	.4	1.3
Production, transportation, and material moving.....	104.4	104.8	105.7	106.6	107.3	107.6	108.0	108.5	108.9	.4	1.5
Construction.....	107.0	107.8	109.0	110.0	110.6	111.1	111.2	111.4	111.7	.3	1.0
Manufacturing.....	104.5	104.9	105.9	106.7	107.4	107.7	108.1	108.4	108.6	.2	1.1
Management, professional, and related.....	105.0	105.3	106.7	107.2	107.6	107.8	108.4	108.5	108.6	.1	.9
Sales and office.....	103.9	104.7	105.5	106.9	107.6	108.1	108.2	108.2	108.3	.1	.7
Natural resources, construction, and maintenance.....	105.0	105.9	106.8	107.1	108.1	109.0	108.8	109.2	109.7	.5	1.5
Production, transportation, and material moving.....	104.2	104.5	105.4	106.3	107.1	107.3	107.7	108.2	108.6	.4	1.4
Service-providing industries.....	106.1	106.8	107.7	108.6	109.3	109.6	110.0	110.3	110.8	.5	1.4
Management, professional, and related.....	106.8	107.4	108.6	109.4	110.3	110.8	111.4	111.5	111.7	.2	1.3
Sales and office.....	105.4	106.3	106.8	107.7	108.0	108.0	107.9	108.3	109.0	.6	.9
Natural resources, construction, and maintenance.....	105.7	106.3	106.9	108.0	108.6	109.3	109.9	110.5	111.2	.6	2.4
Production, transportation, and material moving.....	104.6	105.2	106.3	107.1	107.8	108.1	108.6	109.3	110.0	.6	2.0
Service occupations.....	106.6	107.2	108.0	108.8	109.7	110.1	111.0	111.3	112.2	.8	2.3
Trade, transportation, and utilities.....	104.6	105.5	105.9	107.2	107.5	107.4	107.8	108.2	108.7	.5	1.1



**31. Continued—Employment Cost Index, wages and salaries, by occupation and industry group**

[December 2005 = 100]

Series	2007		2008				2009			Percent change	
	Sept.	Dec.	Mar.	June	Sept.	Dec.	Mar.	June	Sept.	3 months ended	12 months ended
	Sept. 2009										
Wholesale trade.....	104.0	105.2	105.2	107.2	106.8	106.4	106.8	106.5	106.2	-0.3	-0.6
Retail trade.....	105.1	106.1	106.4	107.6	108.1	108.1	108.3	108.9	110.0	1.0	1.8
Transportation and warehousing.....	104.1	104.2	105.0	106.0	106.7	106.9	107.2	107.9	108.3	.4	1.5
Utilities.....	106.1	106.8	108.0	109.3	109.3	109.6	111.0	112.0	112.2	.2	2.7
Information.....	105.2	105.3	105.3	106.3	107.3	107.5	107.8	108.1	108.7	.6	1.3
Financial activities.....	106.0	105.9	107.2	107.7	107.7	107.2	106.8	107.9	108.5	.6	.7
Finance and insurance.....	106.5	106.6	107.9	108.4	108.2	107.6	107.1	108.5	109.0	.5	.7
Real estate and rental and leasing.....	103.6	103.1	104.5	104.7	105.3	105.7	105.6	105.8	106.3	.5	.9
Professional and business services.....	106.7	107.5	109.1	110.0	111.0	111.9	112.3	112.2	112.3	.1	1.2
Education and health services.....	106.9	107.7	108.6	109.2	110.2	110.6	111.4	111.8	112.5	.6	2.1
Education services.....	106.4	107.4	107.9	108.6	110.8	110.8	111.1	111.2	112.2	.9	1.3
Health care and social assistance.....	107.0	107.8	108.7	109.4	110.1	110.6	111.5	111.9	112.5	.5	2.2
Hospitals.....	106.5	107.2	108.2	109.2	110.3	111.1	111.8	112.3	112.9	.5	2.4
Leisure and hospitality.....	108.1	108.8	109.7	109.9	111.4	112.3	113.1	112.8	113.7	.8	2.1
Accommodation and food services.....	108.4	109.0	110.0	110.4	111.9	112.8	113.7	113.2	114.2	.9	2.1
Other services, except public administration.....	107.3	107.9	109.2	109.9	110.4	110.4	111.4	111.4	112.5	1.0	1.9
<b>State and local government workers.....</b>	<b>106.4</b>	<b>107.1</b>	<b>107.7</b>	<b>108.2</b>	<b>110.1</b>	<b>110.4</b>	<b>110.9</b>	<b>111.5</b>	<b>112.4</b>	<b>.8</b>	<b>2.1</b>
Workers by occupational group											
Management, professional, and related.....	106.3	107.0	107.6	108.2	110.1	110.4	110.7	111.2	112.1	.8	1.8
Professional and related.....	106.3	107.0	107.5	108.1	110.1	110.3	110.6	111.1	112.1	.9	1.8
Sales and office.....	106.3	107.0	107.4	107.9	109.3	109.7	110.5	111.2	112.1	.8	2.6
Office and administrative support.....	106.5	107.3	107.8	108.3	109.7	110.1	111.0	111.6	112.6	.9	2.6
Service occupations.....	106.5	107.7	108.3	108.6	110.4	110.9	112.0	112.7	113.3	.5	2.6
Workers by industry											
Education and health services.....	106.3	107.1	107.5	108.1	110.2	110.5	110.7	111.1	112.1	.9	1.7
Education services.....	106.1	106.8	107.2	107.7	109.9	110.1	110.4	110.7	111.7	.9	1.6
Schools.....	106.1	106.8	107.2	107.7	109.9	110.1	110.4	110.7	111.7	.9	1.6
Elementary and secondary schools.....	106.0	106.6	106.9	107.5	109.8	110.1	110.3	110.5	112.0	1.4	2.0
Health care and social assistance.....	108.2	109.2	110.1	111.0	112.8	113.4	113.1	114.8	115.2	.3	2.1
Hospitals.....	107.6	108.6	109.8	110.3	111.4	112.1	112.8	114.0	114.4	.4	2.7
Public administration <sup>2</sup> .....	106.4	107.4	108.2	108.6	109.9	110.4	111.3	112.3	112.8	.4	2.6

<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	2007		2008				2009			Percent change	
	Sept.	Dec.	Mar.	June	Sept.	Dec.	Mar.	June	Sept.	3 months ended	12 months ended
	Sept. 2009										
<b>Civilian workers</b> .....	106.1	106.8	107.6	108.1	108.9	109.1	109.7	110.0	110.6	0.5	1.6
<b>Private industry workers</b> .....	105.0	105.6	106.5	107.0	107.5	107.7	108.2	108.4	108.7	.3	1.1
Workers by occupational group											
Management, professional, and related.....	105.6	106.0	107.3	107.9	108.5	108.5	108.8	108.8	108.9	.1	.4
Sales and office.....	105.2	106.0	106.5	107.0	107.6	107.8	108.0	108.1	108.5	.4	.8
Natural resources, construction, and maintenance.....	105.3	105.9	106.5	107.0	107.5	107.7	108.2	108.8	109.3	.5	1.7
Production, transportation, and material moving.....	102.7	103.7	104.4	104.5	104.8	105.1	106.4	106.8	107.1	.3	2.2
Service occupations.....	106.0	106.7	107.6	108.5	108.7	108.8	109.7	110.0	110.4	.4	1.6
Workers by industry											
Goods-producing.....	102.4	103.2	104.0	104.4	104.6	104.7	105.4	105.7	105.7	.0	1.1
Manufacturing.....	100.7	101.7	102.3	102.2	102.3	102.5	103.5	103.6	103.4	-.2	1.1
Service-providing.....	106.0	106.6	107.6	108.1	108.7	108.9	109.3	109.5	109.9	.4	1.1
<b>State and local government workers</b> .....	110.3	111.0	111.4	111.8	113.9	114.2	115.2	115.8	117.5	1.5	3.2

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	2007		2008				2009			Percent change	
	Sept.	Dec.	Mar.	June	Sept.	Dec.	Mar.	June	Sept.	3 months ended	12 months ended
											Sept. 2009
<b>COMPENSATION</b>											
<b>Workers by bargaining status<sup>1</sup></b>											
Union.....	104.4	105.1	105.9	106.7	107.4	108.0	109.1	109.8	110.5	0.6	2.9
Goods-producing.....	103.1	104.0	104.6	105.6	106.2	106.9	108.0	108.9	109.5	.6	3.1
Manufacturing.....	100.0	101.0	101.4	101.7	102.1	102.8	104.4	104.8	105.4	.6	3.2
Service-providing.....	105.4	106.0	107.0	107.5	108.3	108.8	109.9	110.6	111.3	.6	2.8
Nonunion.....	105.9	106.5	107.5	108.3	108.9	109.1	109.4	109.6	109.9	.3	.9
Goods-producing.....	104.8	105.4	106.5	107.1	107.6	107.7	107.9	108.0	108.0	.0	.4
Manufacturing.....	104.1	104.6	105.6	106.2	106.6	106.8	107.1	107.3	107.3	.0	.7
Service-providing.....	106.2	106.8	107.7	108.6	109.2	109.4	109.8	110.0	110.4	.4	1.1
<b>Workers by region<sup>1</sup></b>											
Northeast.....	106.2	106.8	107.4	108.1	108.7	109.5	109.8	110.2	110.7	.5	1.8
South.....	106.1	106.7	107.8	108.5	109.1	109.3	109.8	110.1	110.6	.5	1.4
Midwest.....	104.6	105.3	106.0	107.0	107.4	107.6	107.9	108.1	108.4	.3	.9
West.....	105.7	106.5	107.8	108.4	109.3	109.4	109.9	110.1	110.3	.2	.9
<b>WAGES AND SALARIES</b>											
<b>Workers by bargaining status<sup>1</sup></b>											
Union.....	104.4	104.7	105.5	106.7	107.4	108.1	108.8	109.6	110.2	.5	2.6
Goods-producing.....	104.3	104.3	105.2	106.4	107.1	107.7	108.2	108.8	109.5	.6	2.2
Manufacturing.....	102.9	102.6	103.4	104.4	104.9	105.5	106.0	106.4	107.0	.6	2.0
Service-providing.....	104.6	104.9	105.8	106.9	107.7	108.3	109.2	110.1	110.8	.6	2.9
Nonunion.....	106.2	106.9	107.9	108.7	109.4	109.6	110.0	110.2	110.6	.4	1.1
Goods-producing.....	105.8	106.4	107.7	108.4	109.0	109.3	109.5	109.7	109.9	.2	.8
Manufacturing.....	104.9	105.5	106.6	107.3	108.0	108.2	108.6	108.9	109.1	.2	1.0
Service-providing.....	106.3	107.0	107.9	108.8	109.4	109.7	110.1	110.3	110.8	.5	1.3
<b>Workers by region<sup>1</sup></b>											
Northeast.....	106.1	106.6	107.5	108.2	108.7	109.6	109.9	110.3	110.8	.5	1.9
South.....	106.5	107.0	108.1	109.1	109.8	110.0	110.4	110.7	111.3	.5	1.4
Midwest.....	105.0	105.6	106.3	107.5	107.9	108.0	108.4	108.6	108.9	.3	.9
West.....	106.2	107.0	108.3	108.9	109.9	110.1	110.5	110.8	111.2	.4	1.2

<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>					
Single coverage					
Employer share.....	82	82	82	82	81
Employee share.....	18	18	18	18	19
Family coverage					
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		2008		2009										
	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	-	0	0	0	0	0	0	0	1	1	1	0	0	2
In effect during period.....	16	-	1	0	0	0	0	0	0	1	2	1	1	0	2
Workers involved:															
Beginning in period (in thousands).....	72.2	-	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2.5	1.5	1.9	0.0	0.0	6.6
In effect during period (in thousands).....	136.8	-	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2.5	4.0	1.9	1.9	0.0	6.6
Days idle:															
Number (in thousands).....	1954.1	-	0.0	0.0	0.0	0.0	0.0	0.0	0.0	30.0	43.5	5.7	15.2	0.0	29.7
Percent of estimated working time <sup>1</sup> .....	0.01	-	0	0	0	0	0	0	0	0	0	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		2008		2009										
	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	212.425	210.228	211.143	212.193	212.709	213.240	213.856	215.693	215.351	215.834	215.969	216.177	216.330
All items (1967 = 100).....	644.951	642.658	636.332	629.751	632.491	635.637	637.182	638.771	640.616	646.121	645.096	646.544	646.948	647.570	648.028
Food and beverages.....	214.225	218.249	218.752	218.839	219.729	219.333	218.794	218.364	218.076	218.030	217.608	217.701	217.617	217.957	217.733
Food.....	214.106	217.955	218.749	218.805	219.675	219.205	218.600	218.162	217.826	217.740	217.257	217.350	217.218	217.526	217.265
Food at home.....	214.125	215.124	219.086	218.683	219.744	218.389	217.110	215.783	215.088	214.824	213.815	213.722	213.227	213.605	212.816
Cereals and bakery products.....	244.853	252.567	252.723	253.063	254.445	254.187	253.698	252.709	252.714	253.008	253.391	252.382	251.231	251.421	250.600
Meats, poultry, fish, and eggs.....	204.653	203.805	209.602	208.890	208.616	207.963	206.348	205.699	203.789	204.031	201.743	202.911	201.755	200.597	201.202
Dairy and related products <sup>1</sup> .....	210.396	197.013	213.102	210.838	209.632	204.537	199.687	197.124	196.055	194.197	193.118	192.381	193.353	195.360	193.914
Fruits and vegetables.....	278.932	272.945	283.677	281.706	282.601	278.721	274.759	274.297	274.006	272.608	270.940	267.309	267.609	269.467	269.832
Nonalcoholic beverages and beverage materials.....	160.045	163.034	163.015	162.750	164.882	164.213	165.656	162.889	162.803	162.571	162.069	162.953	162.911	162.885	161.358
Other foods at home.....	184.166	191.220	189.301	190.203	192.492	192.404	192.234	191.352	191.144	191.328	190.967	191.317	190.571	191.266	189.640
Sugar and sweets.....	186.577	196.933	191.756	193.312	197.429	196.676	197.137	197.301	196.403	197.009	195.126	195.430	196.998	196.747	198.227
Fats and oils.....	196.751	201.224	205.806	206.710	206.886	205.359	204.776	200.464	200.679	201.127	201.031	200.578	200.009	199.916	196.473
Other foods.....	198.103	205.497	203.058	203.902	206.343	206.621	206.367	205.734	205.587	205.654	205.544	206.064	204.728	205.814	203.671
Other miscellaneous foods <sup>1,2</sup> .....	119.924	122.393	123.543	123.791	124.012	122.580	122.402	122.883	122.838	122.224	121.990	121.892	122.099	122.112	121.263
Food away from home <sup>1</sup> .....	215.769	223.272	220.043	220.684	221.319	221.968	222.216	222.905	223.023	223.163	223.345	223.675	224.003	224.224	224.633
Other food away from home <sup>1,2</sup> .....	150.640	155.852	153.978	154.062	153.402	154.726	154.414	155.099	155.099	155.841	156.570	156.697	157.302	157.056	157.027
Alcoholic beverages.....	214.484	220.751	217.492	217.975	219.113	219.682	219.999	219.671	220.005	220.477	220.850	220.946	221.474	222.232	222.485
Housing.....	216.264	217.057	216.467	216.073	216.928	217.180	217.374	217.126	216.971	218.071	218.085	217.827	217.178	216.612	215.808
Shelter.....	246.666	249.354	247.463	247.085	248.292	248.878	249.597	249.855	249.779	250.243	250.310	250.248	249.501	249.474	248.211
Rent of primary residence.....	243.271	248.812	246.681	247.278	247.974	248.305	248.639	248.899	249.069	249.092	248.994	249.029	248.965	248.888	248.886
Lodging away from home.....	143.664	134.243	133.555	129.157	133.559	135.809	137.715	137.700	135.680	138.318	139.424	137.454	133.706	133.485	125.426
Owners' equivalent rent of primary residence <sup>3</sup> .....	252.426	256.610	254.669	254.875	255.500	255.779	256.321	256.622	256.875	256.981	256.872	257.155	256.865	256.890	256.731
Tenants' and household insurance <sup>3,2</sup> .....	118.843	121.487	120.232	120.019	120.402	120.683	120.737	120.675	120.728	121.083	121.298	121.830	122.170	122.184	122.243
Fuels and utilities.....	220.018	210.696	216.285	215.184	215.232	213.520	210.501	207.175	206.358	212.677	212.961	212.661	211.618	207.937	208.955
Fuels.....	200.808	188.113	195.599	194.335	194.149	192.168	188.736	184.903	183.783	190.647	190.534	189.735	188.509	184.146	185.165
Fuel oil and other fuels.....	334.405	239.778	281.869	256.209	247.163	242.264	230.837	228.107	225.164	232.638	230.192	237.521	236.616	243.936	260.250
Gas (piped) and electricity.....	202.212	193.563	199.435	199.487	199.791	197.886	194.752	190.686	189.619	196.754	196.767	195.475	194.176	188.963	189.166
Household furnishings and operations.....	127.800	128.701	128.554	128.535	128.761	129.170	129.669	129.654	129.644	129.623	129.267	128.304	128.201	127.740	127.265
Apparel.....	118.907	120.078	121.262	117.078	114.764	118.825	122.545	123.208	121.751	118.799	115.620	117.130	122.476	123.998	122.465
Men's and boys' apparel.....	113.032	113.628	114.239	110.767	110.797	115.202	117.748	117.195	117.146	112.849	109.744	110.835	112.933	114.818	113.636
Women's and girls' apparel.....	107.460	108.091	110.588	105.456	100.638	105.777	111.079	111.871	109.460	106.455	101.688	103.991	112.535	113.838	111.460
Infants' and toddlers' apparel <sup>1</sup> .....	113.762	114.489	116.010	112.568	112.321	113.544	115.548	117.084	114.142	113.915	111.022	113.673	116.309	117.300	116.312
Footwear.....	124.157	126.854	126.788	124.093	122.363	124.301	126.707	128.057	127.519	125.515	124.405	125.292	128.670	130.333	130.594
Transportation.....	195.549	179.252	173.644	164.628	166.738	169.542	169.647	171.987	175.997	183.735	182.798	184.386	183.932	185.362	188.587
Private transportation.....	191.039	174.762	168.527	159.411	161.788	164.871	165.023	167.516	171.757	179.649	178.330	179.987	179.466	180.896	184.099
New and used motor vehicles <sup>2</sup> .....	93.291	93.486	91.618	91.408	91.831	92.224	92.109	92.381	92.701	93.020	93.413	93.126	93.440	95.131	96.039
New vehicles.....	134.194	135.623	132.359	132.308	133.773	134.186	134.611	134.863	135.162	135.719	136.055	134.080	134.576	137.268	138.831
Used cars and trucks <sup>1</sup> .....	133.951	126.973	126.869	125.883	124.863	122.837	121.061	121.213	122.650	124.323	125.061	128.028	129.369	132.689	134.173
Motor fuel.....	279.652	201.978	187.189	149.132	156.604	167.395	168.404	177.272	193.609	225.021	217.860	225.089	220.690	219.015	228.050
Gasoline (all types).....	277.457	201.555	184.235	146.102	154.488	166.118	167.826	176.704	193.727	225.526	217.945	225.179	220.542	218.683	227.665
Motor vehicle parts and equipment.....	128.747	134.050	132.947	133.077	133.414	134.108	134.848	134.640	134.347	134.270	133.729	133.531	133.406	133.650	134.234
Motor vehicle maintenance and repair.....	233.859	243.337	239.048	239.356	241.076	241.689	242.118	242.649	242.488	242.683	243.031	243.494	244.493	245.393	245.511
Public transportation.....	250.549	236.348	243.385	237.638	234.394	231.529	230.735	229.827	228.878	232.540	238.932	238.997	239.855	241.060	244.226
Medical care.....	364.065	375.613	366.613	367.133	369.830	372.405	373.189	374.170	375.026	375.093	375.739	376.537	377.727	378.552	379.575
Medical care commodities.....	296.045	305.108	297.317	298.361	299.998	302.184	302.908	303.979	304.697	304.683	304.229	305.797	307.671	308.379	308.546
Medical care services.....	384.943	397.299	387.992	388.267	391.365	394.047	394.837	395.753	396.648	396.750	397.868	398.303	399.160	400.015	401.392
Professional services.....	310.968	319.372	313.328	313.886	315.603	316.992	317.460	317.661	319.333	319.652	320.076	320.252	320.756	321.381	321.473
Hospital and related services.....	533.953	567.879	543.183	543.585	551.305	558.373	560.995	564.785	564.112	564.406	568.315	570.150	572.991	575.540	581.603
Recreation <sup>2</sup> .....	113.254	114.272	114.078	113.674	113.822	114.461	114.625	114.261	114.264	114.643	114.619	114.755	114.629	114.157	113.820
Video and audio <sup>1,2</sup> .....	102.632	101.276	101.831	101.629	101.347	101.704	102.000	102.300	101.947	101.871	101.614	101.474	100.801	100.178	100.199
Education and communication <sup>2</sup> .....	123.631	127.393	125.758	125.921	126.151	126.190	126.187	126.273	126.467	126.519	126.914	128.128	129.035	129.128	128.845
Education <sup>2</sup> .....	181.277	190.857	186.733	186.916	187.175	187.256	187.298	187.416	187.853	188.179	189.184	193.161	195.595	195.849	195.649
Educational books and supplies.....	450.187	482.072	462.694	464.544	468.432	469.996	472.185	472.507	472.588	476.974	481.768	490.102	493.636	494.435	495.660
Tuition, other school fees, and child care.....	522.098	548.971	537.906	538.309	538.765	538.878	538.813	539.149	540.498	541.119	543.810	555.402	562.635	563.352	562.623
Communication <sup>1,2</sup> .....	84.185	84.95													

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		2008		2009										
	2008	2009	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.
Miscellaneous personal services.....	338.921	344.469	340.174	339.698	340.608	341.188	341.570	342.641	343.051	344.232	344.367	345.137	345.515	347.834	348.792
Commodity and service group:															
Commodities.....	174.764	169.698	167.673	163.582	164.360	165.891	166.645	167.816	169.060	171.593	170.483	171.081	171.559	172.252	173.061
Food and beverages.....	214.225	218.249	218.752	218.839	219.729	219.333	218.794	218.364	218.076	218.030	217.608	217.701	217.617	217.957	217.733
Commodities less food and beverages.....	153.034	144.395	141.397	135.720	136.427	138.702	139.962	141.753	143.587	147.099	145.742	146.528	147.222	148.037	149.245
Nondurables less food and beverages.....	196.192	178.959	173.346	161.681	162.938	167.560	170.200	173.855	177.480	184.581	181.755	184.366	185.544	185.759	187.776
Apparel.....	118.907	120.078	121.262	117.078	114.764	118.825	122.545	123.208	121.751	118.799	115.620	117.130	122.476	123.998	122.465
Non durables less food, beverages, and apparel.....	248.809	219.592	209.569	192.948	196.490	201.554	203.557	209.177	216.090	229.692	227.038	230.396	228.954	228.344	232.649
Durables.....	110.877	109.859	109.191	108.811	109.025	109.221	109.264	109.404	109.650	109.983	109.924	109.129	109.387	110.684	111.159
Services.....	255.498	259.154	256.967	256.731	257.780	258.328	258.597	258.466	258.433	259.544	259.992	260.355	260.136	259.844	259.323
Rent of shelter <sup>3</sup> .....	257.152	259.924	257.961	257.567	258.830	259.440	260.197	260.469	260.388	260.869	260.935	260.858	260.064	260.035	258.704
Transportation services.....	244.074	251.031	247.030	246.287	247.006	248.114	247.912	248.696	248.628	249.194	251.184	252.234	253.001	254.449	255.935
Other services.....	295.780	303.992	299.996	300.067	300.614	301.471	302.024	301.668	302.132	303.000	303.761	305.890	307.161	307.011	306.740
Special indexes:															
All items less food.....	215.528	214.008	211.421	208.855	209.777	211.076	211.775	212.464	213.236	215.389	215.069	215.617	215.795	215.986	216.207
All items less shelter..... <sup>1</sup>	205.453	203.301	201.075	198.127	198.936	200.184	200.626	201.271	202.171	204.578	204.069	204.776	205.263	205.567	206.286
All items less medical care.....	207.777	206.555	204.721	202.442	203.281	204.265	204.766	205.275	205.876	207.764	207.388	207.855	207.949	208.131	208.250
Commodities less food.....	155.310	147.071	144.055	138.536	139.258	141.491	142.728	144.464	146.261	149.697	148.386	149.155	149.846	150.663	151.847
Nondurables less food.....	197.297	181.453	175.979	165.032	166.282	170.665	173.167	176.587	180.017	186.726	184.090	186.552	187.691	187.939	189.852
Nondurables less food and apparel.....	244.443	218.687	209.344	194.403	197.704	202.323	204.159	209.195	215.459	227.768	225.410	228.446	227.195	226.717	230.622
Nondurables.....	205.901	198.548	195.773	189.557	190.649	192.943	194.105	195.864	197.673	201.461	199.746	201.191	201.783	202.058	203.035
Services less rent of shelter <sup>3</sup> .....	273.000	278.064	275.425	275.370	276.227	276.739	276.407	275.752	275.777	277.777	278.747	279.697	280.194	279.545	280.014
Services less medical care services.....	244.987	248.122	246.351	246.090	247.013	247.439	247.675	247.490	247.406	248.557	248.963	249.316	249.043	248.692	248.075
Energy.....	236.666	193.126	189.938	171.158	174.622	178.741	177.454	179.704	186.909	205.408	201.938	204.971	202.243	199.198	204.026
All items less energy.....	214.751	218.433	216.417	215.930	216.586	217.325	218.033	218.388	218.323	218.440	218.421	218.642	219.076	219.624	219.291
All items less food and energy.....	215.572	219.235	216.690	216.100	216.719	217.685	218.639	219.143	219.128	219.283	219.350	219.596	220.137	220.731	220.384
Commodities less food and energy.....	140.246	142.041	140.236	139.228	139.111	140.270	141.662	142.489	142.360	141.990	141.463	141.310	142.729	143.857	143.871
Energy commodities.....	284.352	205.281	193.395	155.745	162.395	172.428	172.787	181.102	196.528	226.881	219.922	227.204	222.961	221.749	231.226
Services less energy.....	261.017	265.875	262.901	262.636	263.759	264.547	265.147	265.399	265.466	265.993	266.484	267.008	266.894	267.081	266.488
<b>CONSUMER PRICE INDEX FOR URBAN</b>															
<b>WAGE EARNERS AND CLERICAL WORKERS</b>															
All items.....	211.053	209.630	207.296	204.813	205.700	206.708	207.218	207.925	208.774	210.972	210.526	211.156	211.322	211.549	212.003
All items (1967 = 100).....	628.661	624.423	617.472	610.075	612.719	615.719	617.239	619.344	621.875	628.422	627.093	628.970	629.462	630.140	631.491
Food and beverages.....	213.546	217.480	218.178	218.269	219.123	218.645	218.119	217.653	217.308	217.258	216.805	216.957	216.734	217.123	216.853
Food.....	213.376	217.118	218.114	218.155	218.998	218.449	217.855	217.376	216.975	216.890	216.384	216.539	216.313	216.654	216.305
Food at home.....	213.017	213.908	217.956	217.498	218.485	217.111	215.922	214.654	213.876	213.657	212.628	212.623	212.010	212.396	211.488
Cereals and bakery products.....	245.472	253.214	253.498	253.759	255.055	254.775	254.395	253.556	253.430	253.701	253.969	252.932	251.754	252.049	251.376
Meats, poultry, fish, and eggs.....	204.255	203.394	209.297	208.639	208.161	207.656	206.094	205.527	203.409	203.503	201.261	202.483	201.087	200.210	200.709
Dairy and related products <sup>1</sup> .....	209.773	195.679	212.184	209.922	208.530	203.023	198.048	195.714	194.694	192.898	191.783	191.048	192.048	194.120	192.695
Fruits and vegetables.....	276.759	270.562	281.279	278.835	279.906	275.884	271.727	271.771	271.530	270.653	269.316	265.730	265.810	267.084	267.049
Nonalcoholic beverages and beverage materials.....	159.324	162.598	162.472	162.280	164.514	163.821	165.437	162.464	162.468	162.167	161.650	162.433	162.396	162.456	160.619
Other foods at home.....	183.637	190.519	188.685	189.527	191.782	191.620	191.594	190.650	190.401	190.657	190.235	190.704	189.892	190.630	188.868
Sugar and sweets.....	185.494	195.702	190.501	192.120	195.867	195.395	196.015	195.858	194.928	195.773	194.005	194.511	196.027	195.752	197.031
Fats and oils.....	197.512	202.003	206.870	207.439	207.400	206.185	205.693	201.474	201.470	202.004	201.666	201.199	200.621	200.759	197.400
Other foods.....	198.303	205.573	203.126	203.937	206.490	206.547	206.468	205.820	205.641	205.759	205.549	206.210	204.823	205.929	203.664
Other miscellaneous foods <sup>1,2</sup> .....	120.348	122.753	123.837	124.144	124.477	122.994	122.837	123.112	123.126	122.537	122.119	122.217	122.496	122.676	121.647
Food away from home <sup>1</sup> .....	215.613	223.383	220.107	220.847	221.497	222.101	222.336	222.957	223.082	223.186	223.408	223.789	224.102	224.382	224.815
Other food away from home <sup>1,2</sup> .....	149.731	155.607	153.464	153.646	153.397	154.520	154.054	154.414	154.409	155.091	156.904	156.769	157.132	156.909	156.853
Alcoholic beverages.....	214.579	221.325	217.626	218.445	219.458	220.029	220.500	220.243	220.729	221.179	221.517	221.618	221.454	222.555	223.445
Housing.....	211.839	213.144	212.591	212.452	213.078	213.192	213.213	212.885	212.881	214.034	214.029	213.824	213.391	212.734	212.327
Shelter.....	239.128	242.637	240.740	240.752	241.651	242.051	242.605	242.857	242.941	243.238	243.248	243.279	242.816	242.804	242.159
Rent of primary residence.....	242.196	247.401	245.425	246.026	246.696	246.991	247.285	247.517	247.710	247.691	247.573	247.601	247.500	247.422	247.361
Lodging away from home <sup>2</sup> .....	143.164	135.163	133.747	129.982	134.235	136.255	138.008	138.008	136.113	139.246	140.873	138.543	134.803	134.586	127.061
Owners' equivalent rent of primary residence <sup>3</sup> .....	228.758	232.499	230.743	230.926	231.503	231.746	232.325	232.503	232.739	232.837	232.723	232.977	232.731	232.761	232.635
Tenants' and household insurance <sup>1,2</sup> .....	119.136	121.935	120.589	120.360	120.715	120.960	121.099	121.084	121.160	121.529	121.765	122.254	122.644	122.761	122.830
Fuels and utilities.....	217.883	209.595	214.700	213.861	213.882	212.353	209.400	205.840	205.270	211.929	212.276	211.808	210.796	206.732	207.530
Fuels.....	197.537	186.229	193.000	192.050	191.852	190.110	186.809	182.795	181.977	189.108	189.082	188.125	186.967	182.227	182.994
Fuel oil and other fuels.....	331.784	243.003	283.747	260.185	251.976	246.781	236.237	232.068	229.019	235.869	233.018	239.435	238.006	246.153	262.340
Gas (piped) and electricity.....	200.265	191.981	197.507	197.545	197.703	196.040	192.922	188.735	187.982	195.445	195.547	194.211			

**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		2008		2009										
	2008	2009	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.
New vehicles.....	135.338	136.711	133.380	133.317	134.490	135.248	135.744	135.911	136.113	136.800	137.082	135.130	135.672	138.422	139.952
Used cars and trucks <sup>1</sup> .....	134.731	127.687	127.540	126.526	125.485	123.443	121.669	121.850	123.339	125.056	125.817	128.781	130.122	133.458	134.977
Motor fuel.....	280.817	202.695	187.770	149.650	157.265	168.028	169.060	177.982	194.339	225.876	218.560	225.797	221.241	219.733	228.871
Gasoline (all types).....	278.728	202.375	184.855	146.644	155.204	166.831	168.574	177.510	194.569	226.515	218.757	226.007	221.197	219.509	228.598
Motor vehicle parts and equipment.....	128.776	134.133	133.125	133.295	133.645	134.264	134.485	134.614	134.439	134.273	133.787	133.587	133.504	133.764	134.346
Motor vehicle maintenance and repair.....	236.353	245.795	241.509	241.855	243.594	244.219	244.650	245.180	245.036	245.129	245.421	245.871	246.850	247.811	247.972
Public transportation.....	247.865	234.661	240.496	235.199	232.422	229.404	229.034	228.525	227.522	230.926	236.963	237.029	238.225	239.729	242.698
Medical care.....	364.208	376.064	366.800	367.301	370.001	372.630	373.541	374.599	375.420	375.479	376.161	377.007	378.263	379.072	380.295
Medical care commodities.....	287.970	296.724	289.046	290.080	291.710	293.917	294.728	295.699	296.431	296.369	295.871	297.379	299.098	299.742	299.972
Medical care services.....	386.317	399.165	389.493	389.744	392.831	395.563	396.489	397.553	398.387	398.497	399.677	400.204	401.217	402.075	403.695
Professional services.....	313.446	322.127	315.825	316.435	318.110	319.663	320.231	320.407	322.043	322.346	322.759	322.964	323.577	324.284	324.382
Hospital and related services.....	530.193	565.029	539.864	540.101	547.655	545.390	557.167	561.516	560.906	561.337	565.448	567.545	570.697	573.069	580.048
Recreation <sup>2</sup> .....	110.143	111.015	110.826	110.487	110.630	111.257	111.436	111.182	111.152	111.471	111.416	111.453	111.205	110.724	110.401
Video and audio <sup>1,2</sup> .....	102.654	101.602	101.974	101.810	101.488	101.857	102.153	102.516	102.214	102.193	101.982	101.867	101.228	100.639	100.681
Education and communication <sup>2</sup> .....	119.827	123.017	121.636	121.819	122.025	122.092	122.087	122.152	122.293	122.333	122.699	123.579	124.322	124.362	124.100
Education <sup>2</sup> .....	178.892	188.143	184.115	184.352	184.642	184.765	184.824	184.892	185.291	185.626	186.596	190.222	192.552	192.774	192.776
Educational books and supplies.....	452.880	485.025	465.576	467.179	471.061	473.012	474.880	474.950	475.213	480.024	485.218	493.615	496.691	497.534	498.627
Tuition, other school fees, and child care.....	504.163	529.316	518.938	519.500	519.987	520.159	520.146	520.348	521.550	522.076	524.523	534.825	541.688	542.284	542.174
Communication <sup>1,2</sup> .....	86.807	87.662	87.300	87.444	87.599	87.640	87.615	87.671	87.712	87.652	87.780	87.667	87.810	87.786	87.468
Information and information processing <sup>1,2</sup> .....	84.828	85.571	85.292	85.454	85.581	85.624	85.595	85.655	85.624	85.524	85.653	85.532	85.676	85.651	85.331
Telephone services <sup>1,2</sup> .....	100.502	102.341	101.564	101.720	101.876	101.890	101.977	102.048	102.231	102.153	102.587	102.613	102.896	102.818	102.413
Information and information processing other than telephone services <sup>1,4</sup> .....	10.567	10.178	10.367	10.406	10.418	10.442	10.378	10.385	10.271	10.238	10.113	10.012	9.975	9.995	9.969
Personal computers and peripheral equipment <sup>1,2</sup> .....	94.863	82.104	88.631	88.176	88.178	87.622	86.004	85.406	84.017	83.278	80.736	78.480	77.835	77.939	77.926
Other goods and services.....	357.906	391.628	362.550	362.986	364.333	365.522	380.208	394.902	394.061	395.052	398.448	398.228	400.245	401.390	403.178
Tobacco and smoking products.....	591.100	735.056	602.881	605.662	610.503	615.012	682.115	747.906	746.009	752.078	768.005	768.483	776.198	778.650	786.541
Personal care <sup>1</sup> .....	199.170	202.490	201.036	200.918	201.209	201.426	202.099	203.010	202.631	202.406	202.490	202.576	203.115	203.245	
Personal care products <sup>1</sup> .....	159.410	162.557	160.994	161.295	162.683	162.543	162.516	163.911	163.119	162.165	162.767	162.415	162.312	162.242	161.784
Personal care services <sup>1</sup> .....	223.978	227.804	226.433	226.578	225.951	226.088	228.201	228.119	227.829	227.800	227.512	227.751	228.480	228.683	228.614
Miscellaneous personal services.....	340.533	346.500	342.853	342.530	343.022	343.443	344.021	345.016	345.326	346.411	346.525	347.402	347.658	349.283	350.046
Commodity and service group:															
Commodities.....	177.618	171.452	168.926	164.233	165.151	166.673	167.514	169.005	170.532	173.662	172.493	173.379	173.777	174.550	175.563
Food and beverages.....	213.546	217.480	218.178	218.269	219.123	218.645	218.119	217.653	217.308	217.258	216.805	216.957	216.734	217.123	216.853
Commodities less food and beverages.....	157.481	147.327	143.544	137.015	137.932	140.235	141.615	143.871	146.125	150.477	149.046	150.209	150.851	151.760	153.273
Nondurables less food and beverages.....	205.279	185.579	178.209	164.879	166.694	171.698	174.838	179.415	183.813	192.478	189.436	192.365	193.394	195.926	
Apparel.....	118.735	119.847	121.149	117.006	114.969	118.766	122.162	122.709	121.364	118.547	115.516	117.095	122.176	123.642	122.228
Nondurables less food, beverages, and apparel.....	263.756	230.503	217.500	198.108	202.400	208.255	211.287	218.502	226.621	242.726	239.626	243.461	241.657	241.005	246.085
Durables.....	111.217	109.610	109.038	108.576	108.689	108.592	108.413	108.596	108.933	109.430	109.432	109.039	109.470	110.988	111.575
Services.....	250.272	254.267	252.144	252.176	253.033	253.456	253.591	253.403	253.482	254.624	255.003	255.342	255.244	254.847	254.663
Rent of shelter <sup>3</sup> .....	230.555	233.917	232.096	232.112	232.981	233.365	233.903	234.148	234.229	234.511	234.511	234.511	234.537	234.079	234.664
Transportation services.....	242.563	250.960	246.126	245.881	246.931	248.029	247.862	248.809	248.795	249.312	250.811	251.880	252.805	254.408	255.871
Other services.....	284.319	291.572	288.082	288.227	288.627	289.432	290.043	289.738	290.116	290.845	291.573	293.266	294.190	293.938	293.624
Special indexes:															
All items less food.....	210.452	208.128	205.214	202.292	203.186	204.465	205.167	206.081	207.148	209.744	209.308	210.021	210.255	210.462	211.055
All items less shelter.....	203.102	199.860	197.342	193.918	194.811	196.052	196.551	197.432	198.571	201.488	200.871	201.726	202.123	202.441	203.301
All items less medical care.....	204.626	202.810	200.707	198.153	198.978	199.928	200.421	201.112	201.955	204.200	203.723	204.341	204.472	204.680	205.106
Commodities less food.....	159.538	149.780	145.985	139.620	140.543	142.809	144.172	146.371	148.589	152.856	151.466	152.606	153.229	154.147	155.650
Nondurables less food.....	206.047	187.718	180.533	167.933	169.708	174.484	177.487	181.815	186.012	194.254	191.387	194.170	194.978	195.196	197.644
Nondurables less food and apparel.....	258.423	228.679	216.516	198.909	202.906	208.291	211.094	217.649	225.091	239.808	237.011	240.515	238.857	238.355	243.061
Nondurables.....	210.333	201.628	198.009	190.910	192.284	194.740	196.174	198.408	200.601	205.219	203.377	205.017	205.374	205.647	206.876
Services less rent of shelter <sup>3</sup> .....	241.567	245.814	243.599	243.646	244.376	244.791	244.413	243.718	243.784	245.833	246.622	247.308	247.664	246.851	247.237
Services less medical care services.....	240.275	243.796	242.058	242.079	242.819	243.128	243.223	242.980	243.022	244.196	244.531	244.857	244.700	244.258	243.991
Energy.....	237.414	192.594	188.375	168.726	172.463	177.033	175.947	178.485	186.321	205.662	201.967	205.144	202.287	199.223	204.196
All items less energy.....	208.719	212.652	210.541	210.168	210.707	211.279	211.989	212.472	212.462	212.552	212.505	212.823	213.363	213.998	213.895
All items less food and energy.....	208.147	212.126	209.383	208.925	209.404	210.203	211.178	211.857	211.926	212.051	212.097	212.449	213.144	213.840	213.787
Commodities less food and energy.....	141.084	143.099	140.793	139.731	139.614	140.554	142.077	143.237	143.170	142.943	142.526	142.634	144.148	144.539	145.595
Energy commodities.....	284.270	205.325	192.494	154.744	161.781	171.978	172.563	181.021	196.706	227.444	220.264	227.506	223.048	221.910	231.371
Services less energy.....	255.598	261.022	258.008	258.039	258.976	259.643	260.158	260.439	260.615	261.014	261.425	261.			

**39. Consumer Price Index: U.S. city average and available local area data: all items**

[1982-84 = 100, unless otherwise indicated]

	Pricing schedule <sup>1</sup>	All Urban Consumers						Urban Wage Earners					
		2009						2009					
		June	July	Aug.	Sept.	Oct.	Nov.	June	July	Aug.	Sept.	Oct.	Nov.
U.S. city average.....	M	215.693	215.351	215.834	215.969	216.177	216.330	210.972	210.526	211.156	211.322	211.549	212.003
<b>Region and area size<sup>2</sup></b>													
Northeast urban.....	M	229.930	230.154	230.883	231.200	231.304	231.708	226.695	226.714	227.598	228.158	228.193	229.048
Size A—More than 1,500,000.....	M	232.058	232.416	233.314	233.695	233.415	233.785	227.337	227.550	228.472	229.067	228.720	229.541
Size B/C—50,000 to 1,500,000 <sup>3</sup> .....	M	136.488	136.417	136.598	136.691	137.348	137.646	136.888	136.626	137.109	137.400	137.959	138.527
Midwest urban <sup>4</sup> .....	M	205.350	204.814	205.632	205.601	205.706	206.247	200.487	199.824	200.723	200.658	200.781	201.553
Size A—More than 1,500,000.....	M	206.308	205.656	206.591	206.459	206.625	207.277	200.356	199.611	200.710	200.566	200.730	201.626
Size B/C—50,000 to 1,500,000 <sup>3</sup> .....	M	131.640	131.366	131.748	131.812	131.724	131.952	131.554	131.096	131.481	131.497	131.420	131.823
Size D—Nonmetropolitan (less than 50,000).....	M	201.157	200.908	201.823	201.918	202.499	203.047	198.674	198.455	199.404	199.416	200.053	200.748
South urban.....	M	209.343	208.819	209.000	208.912	209.292	209.738	205.968	205.415	205.867	205.726	206.121	206.859
Size A—More than 1,500,000.....	M	211.390	211.034	211.436	211.212	211.152	211.424	208.909	208.492	208.995	208.677	208.577	209.161
Size B/C—50,000 to 1,500,000 <sup>3</sup> .....	M	133.056	132.736	132.729	132.722	133.035	133.342	131.382	131.063	131.302	131.284	131.621	132.129
Size D—Nonmetropolitan (less than 50,000).....	M	211.815	210.491	210.899	210.911	212.423	213.372	211.721	210.341	211.088	210.922	212.368	213.396
West urban.....	M	219.865	219.484	219.884	220.294	220.447	219.728	213.973	213.541	213.988	214.490	214.718	214.228
Size A—More than 1,500,000.....	M	223.908	223.498	224.072	224.412	224.372	223.489	216.395	215.955	216.539	217.000	217.002	216.286
Size B/C—50,000 to 1,500,000 <sup>3</sup> .....	M	132.952	132.774	132.756	133.128	133.618	133.335	132.517	132.314	132.407	132.773	133.244	133.149
Size classes:													
A <sup>5</sup> .....	M	197.214	196.987	197.614	197.724	197.670	197.697	195.414	195.096	195.796	195.957	195.895	196.187
B/C <sup>3</sup> .....	M	133.220	132.975	133.069	133.165	133.489	133.663	132.384	132.069	132.341	132.450	132.764	133.139
D.....	M	208.543	207.784	208.369	208.503	209.139	209.567	206.327	205.504	206.271	206.341	207.120	207.739
<b>Selected local areas<sup>6</sup></b>													
Chicago—Gary—Kenosha, IL—IN—WI.....	M	211.010	210.906	211.441	211.345	211.708	212.206	203.691	203.554	204.246	204.278	204.511	205.136
Los Angeles—Riverside—Orange County, CA.....	M	223.906	224.010	224.507	225.226	225.264	224.317	216.145	216.128	216.628	217.302	217.474	216.618
New York, NY—Northern NJ—Long Island, NY—NJ—CT—PA.....	M	237.172	237.600	238.282	238.568	238.380	238.777	231.916	232.177	232.841	233.502	233.084	233.893
Boston—Brockton—Nashua, MA—NH—ME—CT.....	1	-	233.018	-	236.596	-	236.589	-	232.535	-	235.744	-	236.859
Cleveland—Akron, OH.....	1	-	200.558	-	201.836	-	201.471	-	191.494	-	192.800	-	192.871
Dallas—Ft Worth, TX.....	1	-	200.663	-	201.802	-	201.958	-	203.075	-	204.298	-	205.297
Washington—Baltimore, DC—MD—VA—WV <sup>7</sup> .....	1	-	140.810	-	140.945	-	140.718	-	140.434	-	140.701	-	140.608
Atlanta, GA.....	2	203.585	-	203.351	-	201.068	-	202.632	-	202.276	-	199.736	-
Detroit—Ann Arbor—Flint, MI.....	2	204.537	-	204.673	-	205.079	-	199.977	-	200.169	-	200.324	-
Houston—Galveston—Brazoria, TX.....	2	192.325	-	191.687	-	191.608	-	189.979	-	189.503	-	189.304	-
Miami—Ft. Lauderdale, FL.....	2	221.485	-	221.306	-	222.416	-	219.091	-	219.000	-	220.358	-
Philadelphia—Wilmington—Atlantic City, PA—NJ—DE—MD.....	2	223.810	-	226.039	-	224.787	-	223.361	-	225.481	-	224.573	-
San Francisco—Oakland—San Jose, CA.....	2	225.692	-	225.801	-	226.051	-	220.996	-	221.279	-	221.708	-
Seattle—Tacoma—Bremerton, WA.....	2	227.257	-	227.138	-	226.277	-	221.993	-	221.873	-	221.339	-

<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.

<sup>1</sup>—January, March, May, July, September, and November.

<sup>2</sup>—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	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Consumer Price Index for All Urban Consumers:											
All items:											
Index.....	163.0	166.6	172.2	177.1	179.9	184.0	188.9	195.3	201.6	207.342	215.303
Percent change.....	1.6	2.2	3.4	2.8	1.6	2.3	2.7	3.4	3.2	2.8	3.8
Food and beverages:											
Index.....	161.1	164.6	168.4	173.6	176.8	180.5	186.6	191.2	195.7	203.300	214.225
Percent change.....	2.2	2.2	2.3	3.1	1.8	2.1	3.3	2.5	2.4	3.9	5.4
Housing:											
Index.....	160.4	163.9	169.6	176.4	180.3	184.8	189.5	195.7	203.2	209.586	216.264
Percent change.....	2.3	2.2	3.5	4.0	2.2	2.5	2.5	3.3	3.8	3.1	3.2
Apparel:											
Index.....	133.0	131.3	129.6	127.3	124.0	120.9	120.4	119.5	119.5	118.998	118.907
Percent change.....	.1	-1.3	-1.3	-1.8	-2.6	-2.5	-4	-7	.0	-0.4	-0.1
Transportation:											
Index.....	141.6	144.4	153.3	154.3	152.9	157.6	163.1	173.9	180.9	184.682	195.549
Percent change.....	-1.9	2.0	6.2	0.7	-9	3.1	3.5	6.6	4.0	2.1	5.9
Medical care:											
Index.....	242.1	250.6	260.8	272.8	285.6	297.1	310.1	323.2	336.2	351.054	364.065
Percent change.....	3.2	3.5	4.1	4.6	4.7	4.0	4.4	4.2	4.0	4.4	3.7
Other goods and services:											
Index.....	237.7	258.3	271.1	282.6	293.2	298.7	304.7	313.4	321.7	333.328	345.381
Percent change.....	5.7	8.7	5.0	4.2	3.8	1.9	2.0	2.9	2.6	3.6	3.6
Consumer Price Index for Urban Wage Earners and Clerical Workers:											
All items:											
Index.....	159.7	163.2	168.9	173.5	175.9	179.8	184.5	191.0	197.1	202.767	211.053
Percent change.....	1.3	2.2	3.5	2.7	1.4	2.2	5.1	1.1	3.2	2.9	4.1

#### 41. Producer Price Indexes, by stage of processing

[1982 = 100]

Grouping	Annual average		2008		2009										
	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	172.6	172.0	168.8	170.4	169.9	169.1	170.3	171.1	174.3	172.4	174.2	173.4	174.1	176.2
Finished consumer goods.....	186.3	179.2	178.2	173.7	175.8	175.2	174.2	176.0	177.3	181.7	179.2	181.6	180.6	181.2	183.9
Finished consumer goods.....	178.3	175.5	179.8	177.7	177.7	175.0	173.8	175.9	174.0	176.1	173.5	173.9	173.9	175.9	176.8
Finished consumer goods excluding foods.....	189.1	179.6	177.0	171.5	174.4	174.5	173.5	175.2	177.5	182.7	180.2	183.3	181.9	182.0	185.3
Nondurable goods less food.....	210.5	194.3	190.6	182.1	186.5	186.6	185.2	187.7	191.2	198.7	195.7	200.1	198.4	197.6	202.2
Durable goods.....	141.2	144.3	144.2	144.4	144.3	144.3	144.1	144.4	144.2	144.7	143.3	143.8	143.1	145.0	145.6
Capital equipment.....	153.8	156.8	156.9	157.2	157.4	157.2	156.9	156.8	156.3	156.6	155.9	156.4	156.1	157.2	157.6
<b>Intermediate materials, supplies, and components.....</b>	188.3	172.6	179.2	171.6	171.4	169.7	168.0	168.6	170.2	172.7	172.3	174.8	175.3	174.8	176.3
Materials and components for manufacturing.....	177.2	162.8	171.1	163.7	162.7	161.0	159.5	158.9	160.1	160.9	161.6	163.8	165.6	165.1	166.4
Materials for food manufacturing.....	180.4	165.1	175.5	170.8	167.3	164.3	163.2	164.2	166.2	166.0	163.7	164.1	164.4	164.4	165.5
Materials for nondurable manufacturing...	214.3	191.9	200.6	185.0	186.8	185.6	182.3	182.6	187.4	190.1	192.0	196.6	199.3	196.4	200.8
Materials for durable manufacturing.....	203.3	169.0	190.0	178.6	172.8	168.2	165.8	163.2	162.1	162.7	164.5	168.9	173.7	174.8	175.0
Components for manufacturing.....	140.3	141.0	142.3	141.9	141.7	141.5	141.3	140.8	140.8	140.7	140.7	140.8	141.0	141.1	141.0
Materials and components for construction.....	205.4	202.9	210.2	207.9	207.0	204.8	204.2	203.2	202.8	202.0	201.9	201.5	201.8	201.9	201.4
Processed fuels and lubricants.....	206.2	162.3	168.7	151.2	153.4	150.7	146.5	151.4	156.5	167.0	164.1	172.2	170.0	169.3	173.8
Containers.....	191.8	195.8	199.0	198.1	200.8	199.5	198.4	197.6	196.1	195.4	194.3	193.5	193.5	193.8	193.1
Supplies.....	173.8	172.2	175.3	173.4	172.9	172.3	171.9	172.0	172.3	172.8	172.2	171.9	172.1	171.7	171.8
<b>Crude materials for further processing.....</b>	251.8	175.0	183.3	172.6	170.2	160.7	160.1	163.9	171.5	179.8	172.9	178.4	174.1	182.2	192.0
Foodstuffs and feedstuffs.....	163.4	134.4	144.2	135.5	136.1	133.3	131.0	136.5	140.5	141.0	133.2	130.2	127.3	131.6	133.7
Crude nonfood materials.....	313.9	197.1	203.2	191.6	186.5	171.5	172.6	174.6	184.7	199.8	194.5	207.5	202.3	213.2	229.6
<b>Special groupings:</b>															
Finished goods, excluding foods.....	176.6	171.2	169.6	166.1	168.0	168.0	167.2	168.3	169.7	173.1	171.3	173.4	172.5	172.9	175.2
Finished energy goods.....	178.7	147.2	144.1	130.6	136.4	136.3	133.2	137.2	142.9	154.4	149.6	156.1	153.5	152.0	158.4
Finished goods less energy.....	169.8	172.3	172.7	172.3	172.7	172.1	171.9	172.4	171.7	172.4	171.4	171.8	171.5	172.9	173.5
Finished consumer goods less energy.....	176.9	179.2	179.7	179.0	179.4	178.6	178.5	179.2	178.5	179.4	178.2	178.6	178.3	179.8	180.6
Finished goods less food and energy.....	167.2	171.5	170.6	170.8	171.3	171.3	171.4	171.4	171.1	171.4	170.8	171.2	170.9	172.0	172.6
Finished consumer goods less food and energy.....	176.4	181.6	180.0	180.1	180.7	181.0	181.4	181.5	181.3	181.7	181.1	181.5	181.1	182.3	183.1
Consumer nondurable goods less food and energy.....	206.8	214.3	210.9	211.0	212.4	212.9	214.0	213.8	213.7	213.9	214.4	214.5	214.6	214.9	215.9
Intermediate materials less foods and feeds.....	188.7	173.1	179.4	171.8	171.8	170.1	168.4	168.9	170.4	172.9	172.7	175.5	176.1	175.6	177.2
Intermediate foods and feeds.....	181.6	165.9	174.7	167.9	165.8	164.6	163.5	164.5	167.3	169.3	166.5	166.1	165.7	164.8	165.5
Intermediate energy goods.....	208.1	162.8	167.3	147.7	152.2	149.3	144.1	149.5	157.2	167.8	165.3	174.5	172.0	171.1	176.4
Intermediate goods less energy.....	180.9	172.8	179.8	175.3	174.0	172.7	171.9	171.2	171.3	171.8	171.9	172.7	173.9	173.6	174.1
Intermediate materials less foods and energy.....	180.9	173.4	180.2	175.9	174.6	173.4	172.6	171.8	171.6	171.9	172.3	173.3	174.7	174.5	174.9
Crude energy materials.....	309.4	176.3	194.9	181.1	173.0	152.1	153.3	155.0	164.2	181.2	173.0	184.1	174.3	188.5	211.4
Crude materials less energy.....	205.4	164.8	167.6	159.8	161.2	158.8	156.4	161.2	166.9	168.9	163.4	164.5	163.7	167.5	168.9
Crude nonfood materials less energy.....	324.4	248.6	224.8	221.3	225.2	224.9	222.9	224.4	234.9	242.6	247.1	263.6	271.1	272.3	270.4

p = preliminary.

42. Producer Price Indexes for the net output of major industry groups

[December 2003 = 100, unless otherwise indicated]

NAICS	Industry	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>Total mining industries (December 1984=100)</b> .....	184.9	174.8	173.4	159.0	159.1	160.5	166.0	180.2	173.0	182.8	180.7	191.8	209.4
211	Oil and gas extraction (December 1985=100) .....	199.5	184.1	180.3	154.1	154.1	157.0	168.6	192.2	179.9	194.8	190.8	208.5	236.2
212	Mining, except oil and gas.....	174.7	173.0	178.4	184.7	186.1	187.9	185.0	185.9	186.2	189.3	191.3	192.6	193.8
213	Mining support activities.....	116.6	114.7	112.8	111.5	109.4	105.6	101.3	100.0	101.2	100.4	98.7	98.4	99.8
	<b>Total manufacturing industries (December 1984=100)</b> .....	169.4	164.1	164.7	163.9	162.9	164.2	165.8	168.4	167.1	169.4	168.6	168.9	170.7
311	Food manufacturing (December 1984=100).....	173.4	171.1	170.1	168.7	167.6	168.6	170.5	171.4	169.7	169.7	169.7	168.8	168.9
312	Beverage and tobacco manufacturing.....	116.0	116.3	117.6	119.2	120.3	119.6	119.2	119.4	119.4	119.5	119.6	120.5	121.5
313	Textile mills.....	114.7	113.5	113.4	113.0	112.3	112.1	111.8	112.1	111.9	111.8	112.2	112.2	112.2
315	Apparel manufacturing.....	103.2	103.2	103.5	103.5	103.5	103.5	103.3	103.3	103.3	103.3	103.3	103.5	103.4
316	Leather and allied product manufacturing (December 1984=100).....	154.3	154.3	154.3	154.7	154.7	153.9	153.9	153.6	153.2	154.0	153.8	153.4	152.8
321	Wood products manufacturing.....	106.7	106.2	105.0	104.0	103.2	102.8	102.4	102.3	103.2	103.2	103.7	103.1	103.6
322	Paper manufacturing.....	127.2	127.0	126.7	126.0	125.5	124.5	123.1	122.5	121.8	121.7	121.6	121.5	121.9
323	Printing and related support activities.....	110.2	110.3	110.2	109.6	109.6	109.4	109.2	109.0	109.0	108.8	108.9	109.2	109.3
324	Petroleum and coal products manufacturing (December 1984=100).....	221.4	167.0	178.6	176.4	168.0	186.2	206.5	238.1	225.9	251.6	240.7	240.1	258.8
325	Chemical manufacturing (December 1984=100).....	234.5	229.7	226.7	225.1	224.6	223.6	222.8	222.4	224.1	224.0	226.2	225.1	225.6
326	Plastics and rubber products manufacturing (December 1984=100).....	166.9	165.0	163.4	161.6	161.2	160.9	160.6	160.3	160.3	160.4	161.4	161.5	161.3
331	Primary metal manufacturing (December 1984=100).....	199.9	185.6	177.6	173.3	169.5	164.7	162.8	163.8	165.4	172.5	178.5	180.5	179.7
332	Fabricated metal product manufacturing (December 1984=100).....	179.3	178.5	178.9	177.7	177.0	175.5	175.0	174.4	173.9	173.8	173.4	173.7	173.5
333	Machinery manufacturing.....	119.9	120.0	120.5	120.4	120.4	120.3	120.2	120.2	120.3	120.2	120.5	120.3	120.2
334	Computer and electronic products manufacturing.....	92.6	92.4	92.5	92.4	92.4	92.3	92.3	92.1	92.2	92.2	92.1	91.8	92.0
335	Electrical equipment, appliance, and components manufacturing	127.3	126.9	126.8	126.8	127.3	127.9	128.5	128.3	128.5	129.2	129.7	129.9	130.3
336	Transportation equipment manufacturing.....	110.0	110.1	110.0	109.9	109.4	109.3	108.9	109.5	108.5	109.1	108.7	110.3	110.7
337	Furniture and related product manufacturing (December 1984=100).....	175.3	175.7	176.1	177.0	176.8	176.7	176.9	176.8	177.0	176.2	177.0	177.3	176.8
339	Miscellaneous manufacturing.....	110.4	110.8	111.4	111.4	111.6	111.7	111.3	111.4	111.2	111.3	111.4	111.5	111.4
	<b>Retail trade</b>													
441	Motor vehicle and parts dealers.....	118.5	117.1	116.9	118.4	118.0	119.0	118.1	118.4	118.8	122.9	119.0	121.6	121.8
442	Furniture and home furnishings stores.....	120.8	120.6	120.8	121.0	120.8	121.4	123.0	122.6	121.5	120.5	120.2	121.5	121.9
443	Electronics and appliance stores.....	108.1	107.8	107.8	103.7	105.4	104.9	104.2	104.8	105.7	106.6	102.6	110.0	110.7
446	Health and personal care stores.....	136.4	136.4	136.0	136.0	136.3	138.7	138.1	137.2	138.6	137.1	139.7	138.5	141.1
447	Gasoline stations (June 2001=100).....	76.3	77.7	68.9	71.0	63.1	59.7	59.4	69.5	75.9	63.5	64.6	60.0	81.9
454	Nonstore retailers.....	154.1	155.2	150.9	153.9	156.1	148.0	142.2	143.6	152.4	145.5	150.9	145.2	146.7
	<b>Transportation and warehousing</b>													
481	Air transportation (December 1992=100).....	203.8	198.5	198.4	190.5	187.6	187.2	179.5	182.2	185.5	189.6	183.7	187.9	191.3
483	Water transportation.....	130.6	128.0	122.4	118.5	117.7	115.2	111.3	111.9	113.3	114.0	114.5	115.7	115.5
491	Postal service (June 1989=100).....	180.5	180.5	180.5	181.6	181.6	181.6	186.8	186.8	186.8	186.8	186.8	186.8	186.8
	<b>Utilities</b>													
221	Utilities.....	133.4	133.1	133.9	132.9	130.4	128.1	128.0	129.0	130.9	131.8	130.6	129.1	129.4
	<b>Health care and social assistance</b>													
6211	Office of physicians (December 1996=100).....	124.3	124.2	125.6	125.6	125.9	125.9	126.3	126.5	126.8	126.8	126.9	127.1	127.0
6215	Medical and diagnostic laboratories.....	107.7	107.8	108.3	108.7	108.9	108.8	108.6	108.4	108.4	108.4	108.6	108.4	108.4
6216	Home health care services (December 1996=100).....	127.3	127.4	127.2	127.6	127.7	127.7	127.7	127.5	128.9	128.2	128.2	128.1	128.9
622	Hospitals (December 1992=100).....	164.9	165.3	166.5	166.8	167.0	166.9	167.2	167.3	167.5	168.4	167.9	169.6	168.7
6231	Nursing care facilities.....	120.6	120.7	122.0	122.2	122.3	122.6	122.6	122.7	123.8	124.3	123.9	123.8	124.1
62321	Residential mental retardation facilities.....	119.2	119.2	120.3	120.3	120.5	121.4	122.3	122.4	122.3	122.8	124.1	125.4	125.6
	<b>Other services industries</b>													
511	Publishing industries, except Internet .....	111.1	110.7	111.9	111.9	111.6	111.7	111.7	111.8	111.4	111.7	111.3	111.2	109.7
515	Broadcasting, except Internet.....	111.5	109.3	107.9	108.1	107.5	105.5	107.4	106.4	102.5	102.1	102.3	101.7	103.4
517	Telecommunications.....	101.2	101.4	101.2	101.1	101.1	100.8	101.1	101.1	101.2	101.7	101.2	101.0	100.8
5182	Data processing and related services.....	101.3	101.3	101.0	100.9	100.9	100.9	101.0	101.0	101.0	100.9	100.9	100.9	100.9
523	Security, commodity contracts, and like activity.....	115.8	115.2	113.5	111.7	109.2	109.1	109.2	108.8	111.3	112.0	111.5	115.3	115.6
53112	Lessors or nonresidential buildings (except miniwarehouse).....	111.7	112.8	111.0	109.0	109.5	108.8	108.8	108.8	109.4	109.1	110.4	109.3	109.4
5312	Offices of real estate agents and brokers.....	103.0	102.8	101.6	101.6	101.6	101.9	102.1	102.2	102.0	102.0	102.0	102.0	102.0
5313	Real estate support activities.....	108.2	109.8	109.9	108.6	109.9	109.2	109.7	107.3	107.6	108.2	109.1	108.7	107.2
5321	Automotive equipment rental and leasing (June 2001=100).....	126.9	123.7	128.3	133.0	133.1	135.1	134.0	137.6	141.1	142.0	140.6	135.9	132.4
5411	Legal services (December 1996=100).....	163.2	163.2	164.8	165.5	166.0	166.2	166.3	166.3	166.4	166.5	166.5	166.5	166.7
541211	Offices of certified public accountants.....	115.0	115.7	115.3	115.2	115.3	115.3	114.3	114.3	114.5	114.6	115.0	113.7	115.3
5413	Architectural, engineering, and related services (December 1996=100).....	141.8	141.9	142.9	142.9	142.8	143.0	143.0	143.0	143.0	142.9	142.9	142.8	142.8
54181	Advertising agencies.....	106.3	106.3	105.6	105.4	105.3	105.3	105.4	105.4	105.4	104.9	105.2	104.9	104.9
5613	Employment services (December 1996=100).....	124.1	124.2	123.8	124.0	123.6	123.9	123.5	123.6	123.7	123.6	123.2	123.1	122.7
56151	Travel agencies.....	101.4	101.4	101.4	101.8	102.2	100.2	100.2	98.6	98.9	98.5	100.4	98.5	98.5
56172	Janitorial services.....	109.4	109.1	109.6	109.7	109.8	109.7	109.7	109.7	110.1	110.1	111.1	110.4	110.4
5621	Waste collection.....	113.3	111.3	112.2	113.3	114.9	115.0	115.6	114.9	116.3	116.7	117.1	116.1	117.9
721	Accommodation (December 1996=100).....	144.3	141.6	140.6	139.9	141.3	141.5	141.0	143.7	146.0	144.9	138.0	140.9	138.9

p = preliminary.



#### 43. Annual data: Producer Price Indexes, by stage of processing

[1982 = 100]

Index	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<b>Finished goods</b>											
Total.....	130.7	133.0	138.0	140.7	138.9	143.3	148.5	155.7	160.4	166.6	177.1
Foods.....	134.3	135.1	137.2	141.3	140.1	145.9	152.7	155.7	156.7	167.0	178.3
Energy.....	75.1	78.8	94.1	96.7	88.8	102.0	113.0	132.6	145.9	156.3	178.7
Other.....	143.7	146.1	148.0	150.0	150.2	150.5	152.7	156.4	158.7	161.7	167.2
<b>Intermediate materials, supplies, and components</b>											
Total.....	123.0	123.2	129.2	129.7	127.8	133.7	142.6	154.0	164.0	170.7	188.3
Foods.....	123.2	120.8	119.2	124.3	123.2	134.4	145.0	146.0	146.2	161.4	180.4
Energy.....	80.8	84.3	101.7	104.1	95.9	111.9	123.2	149.2	162.8	174.6	208.1
Other.....	133.5	133.1	136.6	136.4	135.8	138.5	146.5	154.6	163.8	168.4	180.9
<b>Crude materials for further processing</b>											
Total.....	96.8	98.2	120.6	121.0	108.1	135.3	159.0	182.2	184.8	207.1	251.8
Foods.....	103.9	98.7	100.2	106.1	99.5	113.5	127.0	122.7	119.3	146.7	163.4
Energy.....	68.6	78.5	122.1	122.3	102.0	147.2	174.6	234.0	226.9	232.8	309.4
Other.....	84.5	91.1	118.0	101.5	101.0	116.9	149.2	176.7	210.0	238.7	308.5

#### 44. U.S. export price indexes by end-use category

[2000 = 100]

Category	2008		2009										
	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.
<b>ALL COMMODITIES.....</b>	118.4	115.8	116.6	116.3	115.5	116.1	116.6	117.8	117.4	118.1	117.9	117.9	119.0
Foods, feeds, and beverages.....	164.8	155.1	165.4	162.1	156.7	162.8	167.3	174.8	164.9	164.5	158.2	156.5	162.3
Agricultural foods, feeds, and beverages.....	166.9	156.6	167.6	164.1	158.3	165.0	170.3	178.6	167.6	167.3	160.7	159.0	165.0
Nonagricultural (fish, beverages) food products.....	148.3	143.5	147.9	145.7	144.4	145.3	141.4	141.5	142.2	140.8	137.3	135.0	140.0
Industrial supplies and materials.....	148.2	139.6	139.0	137.9	136.5	136.9	137.7	140.4	140.6	143.6	143.9	144.9	147.4
Agricultural industrial supplies and materials.....	134.2	126.1	125.6	126.2	122.9	123.6	130.2	131.0	134.9	138.0	142.2	144.0	152.1
Fuels and lubricants.....	193.4	166.8	165.8	156.2	146.9	156.9	160.2	175.2	166.0	181.6	171.9	175.5	184.7
Nonagricultural supplies and materials, excluding fuel and building materials.....	145.6	138.8	138.2	138.2	138.2	137.1	137.3	138.5	139.8	141.1	142.7	143.4	144.6
Selected building materials.....	115.6	115.1	115.5	115.3	114.0	113.5	112.5	113.0	112.8	113.7	114.0	112.7	113.2
Capital goods.....	101.6	101.5	102.1	102.3	102.3	102.8	103.0	103.1	103.2	103.4	103.5	103.2	103.4
Electric and electrical generating equipment.....	109.2	109.0	107.3	106.7	106.8	106.8	107.0	107.2	107.0	107.3	107.4	107.9	108.1
Nonelectrical machinery.....	93.5	93.3	93.7	94.0	93.8	94.3	94.4	94.4	94.5	94.7	94.9	94.5	94.9
Automotive vehicles, parts, and engines.....	108.1	108.0	108.4	108.1	108.2	108.1	108.1	108.0	107.9	107.9	108.0	108.1	108.2
Consumer goods, excluding automotive.....	109.1	109.0	109.2	109.3	108.5	107.5	107.9	108.4	108.9	109.1	109.2	109.3	109.4
Nondurables, manufactured.....	107.4	107.2	108.8	109.0	107.1	107.2	107.8	108.5	108.7	109.0	109.4	109.3	109.8
Durables, manufactured.....	109.8	109.7	109.7	109.8	109.9	107.6	107.9	108.1	109.5	109.6	109.5	109.6	109.4
Agricultural commodities.....	160.6	150.8	159.7	157.0	151.6	157.2	162.8	169.7	161.3	161.6	156.9	155.8	162.1
Nonagricultural commodities.....	115.4	113.2	113.5	113.3	112.9	113.1	113.4	114.1	114.2	115.0	115.1	115.2	115.9

**45. U.S. import price indexes by end-use category**

[2000 = 100]

Category	2008		2009										
	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.
<b>ALL COMMODITIES</b> .....	120.0	114.5	113.0	113.0	113.6	114.8	116.8	120.0	119.3	121.1	121.3	122.4	124.4
Foods, feeds, and beverages.....	139.5	142.3	142.3	137.8	137.0	138.9	139.2	139.8	138.2	140.0	140.6	141.1	142.4
Agricultural foods, feeds, and beverages.....	154.4	159.4	159.0	153.0	151.3	154.3	155.0	155.5	153.2	155.7	156.8	157.3	159.5
Nonagricultural (fish, beverages) food products.....	105.8	103.8	104.5	103.4	104.8	104.1	103.6	104.4	104.2	104.5	104.1	104.3	103.7
Industrial supplies and materials.....	174.6	150.4	143.7	144.9	149.3	154.3	163.0	177.3	174.4	182.4	183.0	187.2	195.9
Fuels and lubricants.....	197.8	153.9	146.6	150.5	162.3	174.4	191.5	222.1	216.3	231.4	228.5	235.2	252.0
Petroleum and petroleum products.....	201.6	150.8	143.8	151.6	168.5	185.5	206.1	241.5	235.8	253.7	252.2	258.3	274.5
Paper and paper base stocks.....	115.1	113.2	110.3	108.8	106.6	104.6	103.3	101.8	99.1	98.4	99.1	100.5	102.4
Materials associated with nondurable supplies and materials.....	155.0	148.5	138.8	137.1	136.7	135.3	139.2	137.5	132.3	133.3	134.8	137.9	139.6
Selected building materials.....	118.8	118.1	117.2	116.5	116.2	115.2	114.5	116.0	118.0	119.2	118.9	118.6	118.4
Unfinished metals associated with durable goods.....	209.3	185.7	176.5	175.9	171.6	171.1	172.8	178.3	184.8	190.6	204.0	208.2	213.4
Nonmetals associated with durable goods.....	110.4	109.0	107.1	106.2	105.2	104.3	103.4	103.0	102.8	103.5	104.3	104.9	105.3
Capital goods.....	92.9	92.7	92.7	92.3	91.8	91.9	91.9	91.9	91.9	91.9	91.9	91.9	92.1
Electric and electrical generating equipment.....	111.8	111.4	111.1	110.3	109.4	109.1	109.8	110.0	110.2	110.3	110.3	110.8	111.3
Nonelectrical machinery.....	87.7	87.5	87.5	87.2	86.6	86.8	86.7	86.5	86.5	86.5	86.5	86.4	86.6
Automotive vehicles, parts, and engines.....	107.9	107.8	108.0	107.9	107.7	107.7	107.9	108.0	108.2	108.4	108.6	108.9	109.0
Consumer goods, excluding automotive.....	104.6	104.4	104.4	104.4	103.9	104.1	104.2	104.3	104.1	104.1	104.1	104.3	104.2
Nondurables, manufactured.....	108.0	108.2	108.9	108.9	108.4	108.3	108.1	108.1	107.8	107.8	107.8	107.8	107.7
Durables, manufactured.....	101.1	100.7	100.1	100.0	99.8	100.0	100.5	100.6	100.6	100.6	100.7	100.9	100.9
Nonmanufactured consumer goods.....	103.2	103.6	102.7	104.4	101.2	102.7	101.3	101.4	101.3	100.8	101.2	101.6	101.1

**46. U.S. international price indexes for selected categories of services**

[2000 = 100, unless indicated otherwise]

Category	2007		2008				2009		
	Sept.	Dec.	Mar.	June	Sept.	Dec.	Mar.	June	Sept.
Import air freight.....	134.2	141.8	144.4	158.7	157.1	138.5	132.9	132.8	134.4
Export air freight.....	119.8	127.1	132.0	140.8	144.3	135.0	124.1	117.4	121.6
Import air passenger fares (Dec. 2006 = 100).....	140.2	135.3	131.3	171.6	161.3	157.3	134.9	147.3	137.9
Export air passenger fares (Dec. 2006 = 100).....	154.6	155.7	156.4	171.4	171.9	164.6	141.7	138.2	141.3

**47. Indexes of productivity, hourly compensation, and unit costs, quarterly data seasonally adjusted**

[1992 = 100]

Item	2006		2007				2008				2009		
	III	IV	I	II	III	IV	I	II	III	IV	I	II	III
<b>Business</b>													
Output per hour of all persons.....	138.0	138.7	139.0	140.2	142.1	142.6	142.7	143.8	143.9	144.2	144.3	146.7	150.1
Compensation per hour.....	169.7	173.3	175.2	176.5	177.8	179.6	180.3	181.0	183.0	184.2	182.0	182.1	183.9
Real compensation per hour.....	119.7	122.5	122.7	122.4	122.6	122.1	121.2	120.4	119.9	123.3	122.6	122.2	122.4
Unit labor costs.....	123.0	124.9	126.0	125.9	125.1	125.9	126.3	125.9	127.2	127.7	126.1	124.1	122.5
Unit nonlabor payments.....	137.3	135.1	136.7	139.4	141.9	141.9	141.7	143.8	145.4	143.6	148.1	151.2	154.5
Implicit price deflator.....	128.3	128.7	130.0	130.9	131.4	131.9	132.1	132.5	134.0	133.6	134.3	134.2	134.4
<b>Nonfarm business</b>													
Output per hour of all persons.....	137.0	137.8	138.2	139.2	141.1	141.8	141.7	142.8	142.8	143.1	143.2	145.6	148.9
Compensation per hour.....	168.6	172.3	174.2	175.1	176.3	178.5	179.2	179.8	181.8	183.1	180.9	181.1	182.8
Real compensation per hour.....	118.9	121.8	122.1	121.4	121.5	121.3	120.5	119.6	119.1	122.6	121.9	121.6	121.6
Unit labor costs.....	123.0	125.0	126.0	125.8	125.0	125.9	126.4	125.9	127.3	128.0	126.3	124.3	122.7
Unit nonlabor payments.....	139.5	136.9	138.2	140.9	143.3	143.0	142.5	144.9	146.6	145.3	150.5	153.6	157.3
Implicit price deflator.....	129.1	129.3	130.5	131.4	131.7	132.2	132.3	132.9	134.4	134.3	135.2	135.1	135.4
<b>Nonfinancial corporations</b>													
Output per hour of all employees.....	143.4	143.6	143.5	144.5	144.1	145.9	145.0	147.4	148.6	148.0	145.3	147.6	—
Compensation per hour.....	159.8	162.5	164.2	165.2	166.2	168.3	168.6	169.7	171.8	173.7	171.6	172.4	—
Real compensation per hour.....	112.7	114.9	115.0	114.6	114.5	114.4	113.4	112.9	112.5	116.3	115.6	115.7	—
Total unit costs.....	113.5	115.3	116.8	117.2	118.6	118.7	119.8	118.9	119.4	121.8	123.8	122.6	—
Unit labor costs.....	111.4	113.2	114.4	114.4	115.3	115.3	116.3	115.1	115.6	117.3	118.1	116.8	—
Unit nonlabor costs.....	119.1	120.9	123.1	124.9	127.4	127.9	129.1	129.2	129.8	134.1	139.1	138.5	—
Unit profits.....	191.4	175.8	171.2	171.8	155.6	149.9	133.0	134.7	145.3	129.5	127.5	134.3	—
Unit nonlabor payments.....	138.7	135.9	136.2	137.7	135.1	133.9	130.2	130.7	134.0	132.8	135.9	137.4	—
Implicit price deflator.....	120.6	120.8	121.8	122.2	122.0	121.6	121.0	120.4	121.8	122.5	124.1	123.7	—
<b>Manufacturing</b>													
Output per hour of all persons.....	174.4	175.3	176.9	178.2	180.1	181.6	182.8	181.6	180.3	178.1	177.0	179.9	185.8
Compensation per hour.....	165.5	169.5	172.9	172.9	172.9	175.6	175.7	176.9	178.8	183.9	183.7	186.0	188.5
Real compensation per hour.....	116.7	119.9	121.1	119.9	119.2	119.4	118.1	117.6	117.1	123.1	123.7	124.9	125.4
Unit labor costs.....	94.9	96.7	97.7	97.0	96.0	96.7	96.1	97.4	99.2	103.2	103.8	103.4	101.5

NOTE: Dash indicates data not available.

**48. Annual indexes of multifactor productivity and related measures, selected years**

[2000 = 100, unless otherwise indicated]

Item	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<b>Private business</b>													
Productivity:													
Output per hour of all persons.....	90.0	91.7	94.3	97.2	100.0	102.8	107.1	111.2	114.5	116.6	117.6	119.5	122.7
Output per unit of capital services.....	105.3	105.3	103.8	102.3	100.0	96.0	94.7	95.5	97.2	98.1	98.4	97.7	95.6
Multifactor productivity.....	95.3	96.2	97.4	98.8	100.0	100.4	102.5	105.4	108.2	109.7	110.3	110.7	112.0
Output.....	82.8	87.2	91.5	96.2	100.0	100.5	102.0	105.2	109.7	113.6	117.1	119.5	120.4
Inputs:													
Labor input.....	90.8	94.4	96.5	98.8	100.0	98.2	96.2	95.8	96.9	98.8	101.2	102.3	100.3
Capital services.....	78.7	82.9	88.2	94.1	100.0	104.6	107.7	110.2	112.9	115.8	119.1	122.3	125.9
Combined units of labor and capital input.....	86.9	90.7	93.9	97.4	100.0	100.0	99.5	99.9	101.4	103.6	106.2	108.0	107.6
Capital per hour of all persons.....	85.5	87.1	90.9	95.0	100.0	107.0	113.1	116.5	117.8	118.9	119.6	122.3	128.3
<b>Private nonfarm business</b>													
Productivity:													
Output per hour of all persons.....	90.5	92.0	94.5	97.3	100.0	102.7	107.1	111.1	114.2	116.1	117.2	118.9	122.3
Output per unit of capital services.....	106.1	105.8	104.2	102.6	100.0	96.0	94.5	95.2	96.9	97.7	97.9	97.0	95.1
Multifactor productivity.....	95.8	96.5	97.7	99.0	100.0	100.4	102.5	105.2	108.0	109.3	109.9	110.1	111.4
Output.....	82.8	87.2	91.5	96.3	100.0	100.5	102.1	105.2	109.6	113.5	117.1	119.4	120.4
Inputs:													
Labor input.....	90.4	94.0	96.3	98.8	100.0	98.4	96.4	96.0	97.1	99.1	101.6	102.8	100.9
Capital services.....	78.1	82.4	87.8	93.9	100.0	104.7	107.9	110.5	113.1	116.1	119.6	123.1	126.7
Combined units of labor and capital input.....	86.5	90.4	93.7	97.3	100.0	100.2	99.6	100.0	101.5	103.8	106.6	108.4	108.1
Capital per hour of all persons.....	85.3	86.9	90.7	94.8	100.0	107.0	113.2	116.7	117.8	118.9	119.7	122.6	128.8
<b>Manufacturing [1996 = 100]</b>													
Productivity:													
Output per hour of all persons.....	82.7	87.3	92.0	96.1	100.0	101.6	108.6	115.3	117.9	123.5	125.0	—	—
Output per unit of capital services.....	98.0	100.6	100.7	100.4	100.0	93.5	92.3	93.2	95.4	98.9	100.2	—	—
Multifactor productivity.....	91.2	93.8	95.9	96.7	100.0	98.7	102.4	105.2	108.0	108.4	110.1	—	—
Output.....	83.1	89.2	93.8	97.4	100.0	94.9	94.3	95.2	96.9	100.4	102.3	—	—
Inputs:													
Hours of all persons.....	100.4	102.2	101.9	101.3	100.0	93.5	86.8	82.6	82.2	81.3	81.8	—	—
Capital services.....	84.8	88.7	93.2	97.0	100.0	101.5	102.1	102.1	101.6	101.5	102.0	—	—
Energy.....	110.4	108.2	105.4	105.5	100.0	90.6	89.3	84.4	84.0	91.6	86.6	—	—
Nonenergy materials.....	86.0	92.9	97.7	102.6	100.0	93.3	88.4	87.7	87.3	92.4	91.5	—	—
Purchased business services.....	88.5	92.1	95.0	100.0	100.0	100.7	98.2	99.1	97.0	104.5	106.6	—	—
Combined units of all factor inputs.....	91.1	95.1	97.8	100.7	100.0	96.2	92.1	90.5	89.7	92.7	92.9	—	—

NOTE: Dash indicates data not available.

#### 49. Annual indexes of productivity, hourly compensation, unit costs, and prices, selected years

[1992 = 100]

Item	1963	1973	1983	1993	2000	2001	2002	2003	2004	2005	2006	2007	2008
<b>Business</b>													
Output per hour of all persons.....	55.0	73.4	83.0	100.4	116.1	119.1	123.9	128.7	132.4	134.8	136.1	138.2	141.9
Compensation per hour.....	15.6	28.9	66.3	102.2	134.7	140.3	145.3	151.2	157.0	163.2	169.4	176.5	182.8
Real compensation per hour.....	66.6	85.1	90.5	99.8	112.0	113.5	115.7	117.7	119.0	119.7	120.3	121.9	121.6
Unit labor costs.....	28.4	39.4	79.8	101.8	116.0	117.9	117.3	117.5	118.5	121.0	124.5	127.7	128.8
Unit nonlabor payments.....	26.6	37.5	76.3	102.6	107.2	110.0	114.2	118.3	124.6	130.5	134.8	137.7	142.1
Implicit price deflator.....	27.7	38.7	78.5	102.1	112.7	114.9	116.1	117.8	120.8	124.6	128.3	131.4	133.8
<b>Nonfarm business</b>													
Output per hour of all persons.....	57.8	75.3	84.5	100.4	115.7	118.6	123.5	128.0	131.6	133.9	135.1	137.0	140.9
Compensation per hour.....	16.1	29.1	66.6	102.0	134.2	139.5	144.6	150.4	156.0	162.1	168.3	175.2	181.7
Real compensation per hour.....	68.7	85.5	91.1	99.5	111.6	112.8	115.1	117.1	118.2	118.9	119.5	121.0	120.8
Unit labor costs.....	27.8	38.6	78.9	101.6	116.0	117.7	117.1	117.5	118.5	121.1	124.5	127.9	129.0
Unit nonlabor payments.....	26.3	35.3	76.1	103.1	108.7	111.6	116.0	119.6	125.5	132.1	136.8	138.4	143.3
Implicit price deflator.....	27.3	37.4	77.9	102.1	113.3	115.4	116.7	118.3	121.1	125.1	129.1	131.7	134.2
<b>Nonfinancial corporations</b>													
Output per hour of all employees.....	62.6	74.8	85.7	100.3	122.5	124.7	129.7	134.6	139.7	143.4	146.0	147.1	151.2
Compensation per hour.....	17.9	31.0	68.9	101.8	133.0	138.6	143.6	149.5	154.0	159.6	165.4	172.2	178.9
Real compensation per hour.....	76.4	91.2	94.2	99.3	110.6	112.1	114.3	116.4	116.8	117.1	117.5	118.9	119.0
Total unit costs.....	27.2	39.9	80.7	101.0	107.4	111.6	110.7	111.0	110.0	111.7	113.6	117.4	119.1
Unit labor costs.....	28.6	41.4	80.4	101.4	108.6	111.2	110.7	111.0	110.3	111.3	113.3	117.1	118.3
Unit nonlabor costs.....	23.4	35.7	81.6	99.9	104.2	112.6	110.8	111.1	109.3	112.7	114.6	118.3	121.3
Unit profits.....	57.3	54.9	91.2	114.1	108.7	82.2	98.0	109.9	144.8	163.0	183.5	167.3	149.9
Unit nonlabor payments.....	32.5	40.8	84.2	103.7	105.4	104.5	107.4	110.7	118.8	126.2	133.0	131.4	129.0
Implicit price deflator.....	29.9	41.2	81.7	102.2	107.5	108.9	109.6	110.9	113.1	116.3	119.9	121.9	121.9
<b>Manufacturing</b>													
Output per hour of all persons.....	–	–	–	102.6	139.1	141.2	151.0	160.4	164.0	171.9	173.7	179.2	180.7
Compensation per hour.....	–	–	–	102.0	134.7	137.8	147.8	158.2	161.5	164.5	171.2	177.4	184.7
Real compensation per hour.....	–	–	–	99.6	112.0	111.5	117.7	123.2	122.5	120.7	121.6	122.5	122.8
Unit labor costs.....	–	–	–	99.5	96.9	97.6	97.9	98.7	98.5	95.7	98.6	99.0	102.2
Unit nonlabor payments.....	–	–	–	101.1	103.5	102.0	100.3	102.9	110.2	122.2	126.6	–	–
Implicit price deflator.....	–	–	–	100.6	101.4	100.6	99.5	101.5	106.4	113.5	117.4	–	–

Dash indicates data not available.

## 50. Annual indexes of output per hour for selected NAICS industries

[2002=100]

NAICS	Industry	1987	1992	1997	2000	2001	2002	2003	2004	2005	2006	2007	2008
<b>Mining</b>													
21	Mining.....	75.1	83.7	88.1	97.8	96.1	100.0	102.2	94.1	84.6	76.9	71.9	-
211	Oil and gas extraction.....	64.7	65.9	80.8	96.5	98.2	100.0	105.1	90.2	87.1	81.0	78.3	-
2111	Oil and gas extraction.....	64.7	65.9	80.8	96.5	98.2	100.0	105.1	90.2	87.1	81.0	78.3	-
212	Mining, except oil and gas.....	62.6	78.4	90.3	96.0	98.5	100.0	102.8	104.9	103.1	100.3	95.0	-
2121	Coal mining.....	51.7	67.2	89.5	103.7	102.3	100.0	101.5	101.5	96.5	89.3	90.4	-
2122	Metal ore mining.....	51.4	66.0	72.4	87.9	95.7	100.0	102.9	99.2	94.0	89.1	75.4	-
2123	Nonmetallic mineral mining and quarrying.....	85.0	93.1	96.5	92.8	95.9	100.0	104.5	110.4	114.3	115.8	106.0	-
213	Support activities for mining.....	76.7	87.6	96.6	97.5	106.7	100.0	131.7	164.5	140.1	142.1	151.5	-
2131	Support activities for mining.....	76.7	87.6	96.6	97.5	106.7	100.0	131.7	164.5	140.1	142.1	151.5	-
<b>Utilities</b>													
2211	Power generation and supply.....	63.7	72.4	97.2	103.9	103.4	100.0	102.1	104.4	111.1	112.1	110.1	-
2212	Natural gas distribution.....	58.7	66.0	86.6	98.1	95.3	100.0	98.9	102.5	105.8	103.2	103.7	-
<b>Manufacturing</b>													
311	Food.....	80.9	85.0	86.9	93.5	95.4	100.0	101.6	101.0	106.2	104.1	101.4	-
3111	Animal food.....	58.6	63.6	70.4	77.0	92.0	100.0	117.7	104.6	119.5	108.2	109.4	-
3112	Grain and oilseed milling.....	66.0	74.2	81.4	92.3	97.6	100.0	100.7	105.1	106.6	102.3	104.1	-
3113	Sugar and confectionery products.....	80.4	81.9	92.5	102.3	100.3	100.0	100.4	107.3	120.4	113.5	103.4	-
3114	Fruit and vegetable preserving and specialty.....	73.1	72.3	78.7	88.7	95.7	100.0	97.2	99.5	103.3	98.0	104.5	-
3115	Dairy products.....	77.4	89.1	94.6	89.6	92.1	100.0	104.2	102.0	101.9	100.7	99.4	-
3116	Animal slaughtering and processing.....	90.1	94.4	93.0	95.7	96.0	100.0	99.9	100.4	109.7	109.4	105.8	-
3117	Seafood product preparation and packaging.....	72.5	69.4	58.9	82.7	89.8	100.0	101.8	96.5	110.5	122.0	109.2	-
3118	Bakeries and tortilla manufacturing.....	85.5	86.2	87.5	96.6	98.4	100.0	97.9	100.1	104.3	103.8	101.3	-
3119	Other food products.....	86.8	86.9	89.1	100.4	94.2	100.0	105.0	106.1	102.6	102.6	94.7	-
312	Beverages and tobacco products.....	94.9	111.0	121.4	107.3	108.3	100.0	111.4	114.6	120.8	113.0	109.5	-
3121	Beverages.....	77.8	95.7	100.8	91.6	93.2	100.0	110.8	115.4	120.9	112.6	112.7	-
3122	Tobacco and tobacco products.....	107.2	116.0	149.3	143.0	146.6	100.0	116.7	121.5	136.5	138.1	137.3	-
313	Textile mills.....	59.8	66.6	81.3	86.3	89.4	100.0	111.1	113.0	122.9	122.2	124.1	-
3131	Fiber, yarn, and thread mills.....	50.0	60.2	75.2	75.6	82.5	100.0	112.1	116.7	108.8	105.5	115.7	-
3132	Fabric mills.....	56.0	67.2	82.5	90.2	91.4	100.0	114.0	115.3	133.0	140.7	141.5	-
3133	Textile and fabric finishing mills.....	76.5	69.9	83.6	87.2	91.0	100.0	104.1	104.5	113.3	102.4	98.5	-
314	Textile product mills.....	82.2	82.0	91.4	101.3	97.8	100.0	102.8	115.0	121.1	110.9	98.5	-
3141	Textile furnishings mills.....	86.1	87.4	94.4	100.5	98.0	100.0	105.6	115.1	118.8	107.7	99.9	-
3149	Other textile product mills.....	78.7	79.1	93.1	105.9	99.0	100.0	98.0	116.4	128.3	120.9	103.2	-
315	Apparel.....	73.1	77.8	100.3	116.9	117.2	100.0	106.7	94.2	94.4	86.0	60.4	-
3151	Apparel knitting mills.....	71.3	86.9	92.8	100.4	97.3	100.0	93.2	83.7	97.8	97.7	65.6	-
3152	Cut and sew apparel.....	70.4	73.1	99.6	119.2	119.7	100.0	109.7	96.4	91.9	82.4	58.2	-
3159	Accessories and other apparel.....	129.9	129.8	132.2	129.8	137.4	100.0	105.8	95.8	109.8	96.3	71.6	-
316	Leather and allied products.....	84.7	95.2	121.1	135.4	138.0	100.0	105.7	130.3	130.6	135.8	128.4	-
3161	Leather and hide tanning and finishing.....	138.4	131.6	153.7	136.7	140.1	100.0	103.1	135.7	142.2	127.8	166.5	-
3162	Footwear.....	78.5	86.0	102.5	122.2	131.5	100.0	107.7	112.6	118.6	126.7	101.6	-
3169	Other leather products.....	117.2	127.9	135.3	143.2	140.8	100.0	109.7	165.5	160.7	183.1	178.6	-
321	Wood products.....	83.1	86.8	87.5	90.2	91.7	100.0	101.6	102.2	107.6	110.9	111.2	-
3211	Sawmills and wood preservation.....	67.3	74.1	86.9	90.9	90.6	100.0	108.3	103.9	108.3	113.4	107.7	-
3212	Plywood and engineered wood products.....	90.3	103.4	90.4	89.6	95.1	100.0	96.7	92.3	99.6	105.5	109.4	-
3219	Other wood products.....	89.9	87.8	87.3	90.4	90.9	100.0	100.7	106.5	111.5	113.2	115.4	-
322	Paper and paper products.....	75.4	79.7	87.7	93.5	93.8	100.0	104.3	108.0	108.6	109.8	113.8	-
3221	Pulp, paper, and paperboard mills.....	61.7	66.4	75.4	88.0	90.4	100.0	106.0	110.3	110.2	110.8	114.0	-
3222	Converted paper products.....	84.4	89.2	94.8	96.0	95.3	100.0	104.0	107.5	108.7	110.3	115.4	-
323	Printing and related support activities.....	87.7	91.1	88.9	95.0	95.1	100.0	100.4	103.8	109.2	111.8	115.4	-
3231	Printing and related support activities.....	87.7	91.1	88.9	95.0	95.1	100.0	100.4	103.8	109.2	111.8	115.4	-
324	Petroleum and coal products.....	60.8	67.0	85.6	96.8	94.9	100.0	102.0	105.9	106.2	104.3	105.8	-
3241	Petroleum and coal products.....	60.8	67.0	85.6	96.8	94.9	100.0	102.0	105.9	106.2	104.3	105.8	-
325	Chemicals.....	75.0	75.9	87.3	92.9	92.0	100.0	101.2	105.3	109.4	109.1	116.7	-
3251	Basic chemicals.....	76.1	72.4	80.2	94.6	87.6	100.0	108.5	121.8	129.6	134.1	154.9	-
3252	Resin, rubber, and artificial fibers.....	62.9	65.4	81.2	89.0	86.3	100.0	97.7	97.3	103.4	105.5	108.6	-
3253	Agricultural chemicals.....	80.8	82.5	100.6	92.8	89.9	100.0	110.4	121.0	139.2	134.7	142.8	-
3254	Pharmaceuticals and medicines.....	89.6	89.9	102.7	98.2	102.2	100.0	102.8	103.7	107.3	107.6	105.1	-
3255	Paints, coatings, and adhesives.....	81.6	81.6	91.4	90.5	97.3	100.0	106.1	109.7	111.2	106.7	104.4	-
3256	Soap, cleaning compounds, and toiletries.....	67.8	68.5	80.0	82.3	84.6	100.0	92.7	102.6	109.7	111.3	134.3	-
3259	Other chemical products and preparations.....	62.3	70.7	82.6	98.1	90.9	100.0	98.6	96.2	96.0	91.5	105.7	-
326	Plastics and rubber products.....	67.3	73.8	82.7	91.1	92.8	100.0	103.8	105.9	108.7	108.6	108.1	-
3261	Plastics products.....	67.3	73.2	80.8	90.7	92.4	100.0	103.9	105.8	108.5	106.8	105.1	-
3262	Rubber products.....	71.3	79.3	93.2	94.8	95.5	100.0	103.5	106.4	109.4	114.2	119.5	-
327	Nonmetallic mineral products.....	83.6	86.4	95.1	98.6	95.6	100.0	107.1	105.3	111.6	110.7	111.5	-
3271	Clay products and refractories.....	90.6	92.7	102.7	108.5	99.1	100.0	109.5	116.0	122.0	122.2	115.2	-

50. Continued - Annual indexes of output per hour for selected NAICS industries

[2002=100]

NAICS	Industry	1987	1992	1997	2000	2001	2002	2003	2004	2005	2006	2007	2008
3272	Glass and glass products.....	75.6	77.6	91.1	100.2	94.1	100.0	106.7	105.7	111.8	119.2	118.6	-
3273	Cement and concrete products.....	90.5	93.3	97.0	99.3	95.5	100.0	106.3	101.0	104.6	101.6	105.4	-
3274	Lime and gypsum products.....	89.3	90.3	101.2	99.8	103.1	100.0	109.3	107.2	121.9	119.3	113.9	-
3279	Other nonmetallic mineral products.....	79.4	85.6	94.9	90.3	95.2	100.0	105.7	106.8	118.5	112.8	109.7	-
331	Primary metals.....	70.4	76.7	86.9	88.0	87.6	100.0	103.4	116.7	119.8	119.7	129.3	-
3311	Iron and steel mills and ferroalloy production.....	51.9	59.9	80.1	84.6	83.6	100.0	106.1	136.5	134.2	138.1	142.3	-
3312	Steel products from purchased steel.....	81.9	92.5	102.9	99.1	101.3	100.0	91.8	82.6	77.7	70.0	68.6	-
3313	Alumina and aluminum production.....	72.7	76.9	80.3	77.5	77.2	100.0	101.8	110.4	125.3	123.1	132.0	-
3314	Other nonferrous metal production.....	90.8	93.3	93.7	96.2	93.4	100.0	109.6	110.3	106.1	95.2	115.7	-
3315	Foundries.....	69.4	73.7	85.5	88.7	91.2	100.0	100.4	106.8	111.4	114.1	115.3	-
332	Fabricated metal products.....	78.3	82.3	90.1	94.7	94.5	100.0	103.4	102.9	106.5	109.2	111.1	-
3321	Forging and stamping.....	68.8	74.2	80.4	97.8	97.3	100.0	107.3	113.8	118.5	121.4	128.4	-
3322	Cutlery and handtools.....	76.1	76.8	88.1	93.4	97.3	100.0	99.2	90.9	95.4	97.2	109.1	-
3323	Architectural and structural metals.....	83.5	87.3	94.0	95.6	95.5	100.0	103.7	99.2	104.3	107.6	107.2	-
3324	Boilers, tanks, and shipping containers.....	86.7	96.2	100.6	95.2	95.0	100.0	103.7	96.0	99.4	101.1	104.4	-
3325	Hardware.....	77.0	75.8	86.8	99.4	98.4	100.0	105.7	104.5	106.8	107.2	91.6	-
3326	Spring and wire products.....	65.4	72.2	79.6	89.7	89.0	100.0	106.0	104.3	110.9	110.5	108.4	-
3327	Machine shops and threaded products.....	65.2	73.4	87.2	94.9	95.3	100.0	100.5	101.7	101.0	102.1	104.5	-
3328	Coating, engraving, and heat treating metals.....	64.1	73.8	85.7	89.4	92.5	100.0	100.3	106.1	118.0	115.6	118.6	-
3329	Other fabricated metal products.....	85.5	84.9	93.9	93.9	90.6	100.0	104.5	104.8	106.6	111.1	111.8	-
333	Machinery.....	70.0	74.0	85.8	95.7	93.7	100.0	108.1	109.4	115.9	119.5	119.7	-
3331	Agriculture, construction, and mining machinery.....	69.1	74.7	96.1	96.1	95.3	100.0	112.3	120.8	124.0	125.1	120.9	-
3332	Industrial machinery.....	63.4	67.3	84.8	109.9	89.6	100.0	98.9	107.3	105.3	116.3	119.0	-
3333	Commercial and service industry machinery.....	88.9	102.5	102.1	102.9	97.1	100.0	107.5	109.6	118.4	127.4	114.6	-
3334	HVAC and commercial refrigeration equipment.....	70.6	76.8	84.1	90.8	93.3	100.0	109.6	112.1	116.1	113.0	108.8	-
3335	Metalworking machinery.....	75.8	79.8	89.6	96.2	94.2	100.0	103.9	102.9	110.9	111.7	117.3	-
3336	Turbine and power transmission equipment.....	61.5	61.9	76.6	88.1	97.3	100.0	110.3	96.4	100.6	96.4	96.1	-
3339	Other general purpose machinery.....	70.5	72.0	84.7	96.1	93.5	100.0	108.1	107.4	117.4	121.8	124.4	-
334	Computer and electronic products.....	15.1	23.0	53.0	96.2	96.3	100.0	114.2	127.9	134.9	146.2	157.9	-
3341	Computer and peripheral equipment.....	3.7	7.2	33.5	78.4	84.4	100.0	121.5	133.9	172.7	233.1	285.0	-
3342	Communications equipment.....	31.2	47.5	78.2	128.4	120.1	100.0	113.4	122.0	118.5	146.3	139.5	-
3343	Audio and video equipment.....	41.6	63.1	67.0	84.9	86.7	100.0	112.6	155.8	149.2	147.1	106.9	-
3344	Semiconductors and electronic components.....	6.4	11.3	37.8	87.5	87.1	100.0	121.0	133.8	140.7	137.7	159.2	-
3345	Electronic instruments.....	59.3	72.7	84.4	98.4	100.4	100.0	106.1	122.4	124.4	128.8	138.2	-
3346	Magnetic media manufacturing and reproduction.....	77.0	81.3	89.7	93.3	88.7	100.0	114.5	128.8	129.7	124.9	128.2	-
335	Electrical equipment and appliances.....	66.0	72.5	88.1	98.3	98.2	100.0	103.5	109.2	114.3	114.7	117.6	-
3351	Electric lighting equipment.....	80.6	83.4	88.6	90.2	94.3	100.0	98.5	108.1	112.7	121.6	122.7	-
3352	Household appliances.....	53.5	62.4	76.0	89.3	94.9	100.0	111.6	121.2	124.6	129.7	125.9	-
3353	Electrical equipment.....	67.3	77.5	98.1	97.5	98.9	100.0	102.1	110.7	117.9	119.7	126.3	-
3359	Other electrical equipment and components.....	68.7	71.8	87.3	104.7	99.0	100.0	102.0	101.8	106.3	101.5	105.9	-
336	Transportation equipment.....	65.5	70.5	78.7	85.7	89.2	100.0	109.0	108.3	113.8	114.8	122.1	-
3361	Motor vehicles.....	60.4	72.4	79.5	87.1	87.3	100.0	112.0	113.2	118.5	130.6	136.8	-
3362	Motor vehicle bodies and trailers.....	81.0	83.0	95.2	93.7	84.2	100.0	103.8	104.8	107.8	103.3	110.5	-
3363	Motor vehicle parts.....	60.3	63.1	76.9	86.1	88.1	100.0	104.8	105.5	109.8	108.4	111.9	-
3364	Aerospace products and parts.....	73.5	81.3	84.2	86.9	97.4	100.0	99.2	93.9	102.6	97.3	109.0	-
3365	Railroad rolling stock.....	38.0	55.9	68.5	81.1	86.3	100.0	94.1	87.2	88.4	95.2	94.4	-
3366	Ship and boat building.....	73.3	76.1	76.6	94.4	93.3	100.0	103.7	106.8	102.4	97.8	99.5	-
3369	Other transportation equipment.....	48.7	59.3	65.5	83.3	83.4	100.0	110.0	110.4	112.8	122.9	148.8	-
337	Furniture and related products.....	75.9	78.4	88.7	91.3	92.0	100.0	102.0	103.3	107.5	109.2	106.2	-
3371	Household and institutional furniture.....	77.3	81.4	89.3	92.7	94.7	100.0	101.1	100.8	105.9	109.7	105.7	-
3372	Office furniture and fixtures.....	74.0	74.0	86.3	86.9	84.7	100.0	106.3	110.4	112.4	107.2	104.3	-
3379	Other furniture related products.....	77.4	78.0	89.6	90.2	94.8	100.0	99.4	109.4	115.5	120.5	119.5	-
339	Miscellaneous manufacturing.....	64.5	71.1	79.3	92.6	94.0	100.0	106.9	106.4	114.8	118.4	114.4	-
3391	Medical equipment and supplies.....	57.7	68.5	76.6	90.3	93.8	100.0	107.6	108.6	116.2	117.8	113.7	-
3399	Other miscellaneous manufacturing.....	71.8	74.5	83.1	96.0	94.7	100.0	105.8	104.6	113.0	117.8	113.5	-
<b>Wholesale trade</b>													
42	Wholesale trade.....	59.5	70.3	81.2	94.5	95.5	100.0	103.5	109.0	109.4	110.9	110.8	110.5
423	Durable goods.....	44.5	53.9	71.5	89.2	92.0	100.0	104.6	115.1	118.9	122.9	121.9	122.3
4231	Motor vehicles and parts.....	55.9	63.1	75.0	87.5	90.0	100.0	103.2	107.6	110.0	119.5	114.1	105.3
4232	Furniture and furnishings.....	69.5	82.4	86.3	97.0	95.5	100.0	106.9	112.2	109.6	113.0	105.2	88.4
4233	Lumber and construction supplies.....	88.0	89.1	80.7	86.9	94.1	100.0	107.4	112.4	113.0	108.9	103.4	102.2
4234	Commercial equipment.....	10.6	17.8	37.8	68.7	82.3	100.0	112.9	133.2	151.1	167.1	180.4	197.0
4235	Metals and minerals.....	105.6	112.3	103.9	97.5	98.0	100.0	101.2	110.4	107.5	103.0	95.1	87.1
4236	Electric goods.....	26.8	35.1	62.7	95.8	92.5	100.0	103.9	121.7	127.3	137.3	144.2	148.0
4237	Hardware and plumbing.....	80.2	91.9	97.6	101.1	98.0	100.0	101.3	104.5	101.0	101.4	96.5	89.5
4238	Machinery and supplies.....	74.0	80.5	99.8	105.2	102.6	100.0	103.1	112.0	117.0	119.8	115.5	123.0

**50. Continued - Annual indexes of output per hour for selected NAICS industries**

[2002=100]

NAICS	Industry	1987	1992	1997	2000	2001	2002	2003	2004	2005	2006	2007	2008
4239	Miscellaneous durable goods.....	72.0	87.0	80.2	91.7	93.8	100.0	96.0	107.7	107.0	96.7	93.8	96.5
424	Nondurable goods.....	86.1	96.3	94.6	99.4	99.3	100.0	104.4	107.4	107.7	105.8	105.0	104.5
4241	Paper and paper products.....	73.5	82.8	85.9	86.6	89.7	100.0	102.7	112.2	121.5	117.2	124.4	113.8
4242	Druggists' goods.....	78.8	98.7	111.5	95.7	94.6	100.0	111.6	117.9	124.8	121.7	113.3	121.2
4243	Apparel and piece goods.....	70.3	78.3	81.5	88.7	93.9	100.0	102.6	106.7	114.8	115.0	113.5	118.8
4244	Grocery and related products.....	89.3	106.1	101.5	103.9	103.3	100.0	106.4	105.6	104.7	104.5	107.3	103.5
4245	Farm product raw materials.....	83.1	84.8	101.8	107.2	104.1	100.0	100.1	111.3	113.4	120.4	119.9	122.0
4246	Chemicals.....	101.5	118.1	112.3	98.7	95.8	100.0	103.5	102.4	97.5	93.0	92.6	93.4
4247	Petroleum.....	54.9	73.9	65.1	89.9	91.5	100.0	98.4	106.2	98.6	95.8	92.0	93.5
4248	Alcoholic beverages.....	92.9	97.5	93.6	101.5	99.6	100.0	101.1	96.6	97.4	100.7	100.8	96.6
4249	Miscellaneous nondurable goods.....	104.9	92.5	94.3	108.1	105.3	100.0	103.5	113.5	116.4	113.4	109.0	101.5
425	Electronic markets and agents and brokers.....	58.6	77.0	91.1	109.4	100.9	100.0	95.3	89.4	79.6	84.2	91.4	89.0
4251	Electronic markets and agents and brokers.....	58.6	77.0	91.1	109.4	100.9	100.0	95.3	89.4	79.6	84.2	91.4	89.0
<b>Retail trade</b>													
44-45	Retail trade.....	63.1	67.9	79.6	92.5	95.6	100.0	104.8	109.8	112.5	116.8	120.0	117.9
441	Motor vehicle and parts dealers.....	65.4	73.4	83.4	95.3	96.7	100.0	103.6	106.2	105.6	107.5	109.0	99.3
4411	Automobile dealers.....	67.6	76.4	85.3	97.0	98.5	100.0	101.9	106.4	105.4	106.9	109.2	99.1
4412	Other motor vehicle dealers.....	55.4	63.5	74.8	86.2	93.2	100.0	100.1	107.2	100.8	106.9	108.3	110.1
4413	Auto parts, accessories, and tire stores.....	66.7	76.9	92.9	100.7	94.1	100.0	106.9	102.3	107.3	108.2	105.6	101.4
442	Furniture and home furnishings stores.....	58.1	66.8	77.4	89.7	94.7	100.0	104.1	113.5	116.4	121.1	128.1	128.5
4421	Furniture stores.....	61.8	72.8	79.9	89.5	95.6	100.0	102.9	111.2	113.7	119.8	123.2	121.6
4422	Home furnishings stores.....	53.0	59.0	74.1	89.7	93.5	100.0	105.7	116.3	119.5	123.0	133.9	136.5
443	Electronics and appliance stores.....	16.3	24.1	42.8	74.4	84.2	100.0	125.3	143.1	158.1	177.3	201.1	232.9
4431	Electronics and appliance stores.....	16.3	24.1	42.8	74.4	84.2	100.0	125.3	143.1	158.1	177.3	201.1	232.9
444	Building material and garden supply stores.....	62.8	67.5	82.8	93.7	96.7	100.0	105.2	111.3	111.4	113.9	116.8	117.8
4441	Building material and supplies dealers.....	64.0	68.3	82.5	94.9	96.2	100.0	105.0	110.4	111.3	113.5	114.5	112.1
4442	Lawn and garden equipment and supplies stores.....	56.5	63.5	84.6	87.2	100.1	100.0	106.3	118.4	111.8	116.7	136.1	164.4
445	Food and beverage stores.....	105.9	101.8	95.5	96.5	99.1	100.0	102.3	107.8	112.6	115.2	118.2	116.0
4451	Grocery stores.....	106.1	102.1	95.5	96.5	98.6	100.0	101.9	107.1	111.5	112.9	115.1	113.5
4452	Specialty food stores.....	131.5	106.1	95.0	93.6	102.8	100.0	106.5	114.3	118.8	131.2	140.1	128.7
4453	Beer, wine, and liquor stores.....	85.0	85.8	90.8	96.0	97.2	100.0	106.3	116.0	127.0	132.5	141.1	134.1
446	Health and personal care stores.....	68.4	73.1	81.3	91.3	94.5	100.0	105.3	109.2	108.8	113.0	112.1	112.5
4461	Health and personal care stores.....	68.4	73.1	81.3	91.3	94.5	100.0	105.3	109.2	108.8	113.0	112.1	112.5
447	Gasoline stations.....	67.1	70.2	79.9	86.1	90.2	100.0	95.8	97.7	99.4	98.9	101.4	100.8
4471	Gasoline stations.....	67.1	70.2	79.9	86.1	90.2	100.0	95.8	97.7	99.4	98.9	101.4	100.8
448	Clothing and clothing accessories stores.....	50.5	57.6	76.2	94.1	96.3	100.0	105.8	106.0	112.4	122.8	132.4	136.7
4481	Clothing stores.....	49.4	58.0	73.6	91.9	95.8	100.0	104.3	103.6	112.4	123.4	135.0	144.3
4482	Shoe stores.....	52.2	59.9	79.9	87.9	89.0	100.0	105.8	99.7	105.5	116.2	113.7	112.3
4483	Jewelry, luggage, and leather goods stores.....	54.4	53.2	84.3	110.0	104.4	100.0	111.9	121.6	117.0	124.2	134.2	122.0
451	Sporting goods, hobby, book, and music stores.....	58.7	67.7	78.4	94.9	99.6	100.0	103.1	118.4	128.2	133.3	131.2	135.4
4511	Sporting goods and musical instrument stores.....	53.8	63.4	73.5	95.1	98.9	100.0	103.7	122.0	132.0	140.1	137.0	141.7
4512	Book, periodical, and music stores.....	70.7	77.5	89.6	94.7	101.2	100.0	101.8	110.7	120.1	118.5	118.7	121.7
452	General merchandise stores.....	56.9	64.3	77.5	93.1	96.7	100.0	106.0	109.0	112.4	116.1	116.7	115.8
4521	Department stores.....	85.7	89.6	97.9	103.8	101.5	100.0	104.3	107.5	108.9	111.3	104.2	97.3
4529	Other general merchandise stores.....	30.5	38.9	55.8	82.4	92.2	100.0	105.8	107.1	110.7	113.9	120.3	123.2
453	Miscellaneous store retailers.....	54.7	61.9	84.0	95.8	94.6	100.0	105.9	109.8	116.7	128.4	133.8	136.8
4531	Florists.....	68.2	73.6	87.9	101.3	90.3	100.0	95.7	90.9	108.5	125.5	118.2	140.6
4532	Office supplies, stationery and gift stores.....	43.4	52.6	70.7	89.9	93.5	100.0	108.8	122.1	128.9	143.1	151.8	147.4
4533	Used merchandise stores.....	45.4	57.6	70.4	82.0	85.8	100.0	105.4	107.4	110.4	117.6	131.9	148.6
4539	Other miscellaneous store retailers.....	72.4	75.5	106.0	110.6	102.7	100.0	105.8	102.7	107.4	119.0	123.1	121.3
454	Nonstore retailers.....	27.9	33.5	54.9	83.6	89.9	100.0	107.4	118.4	121.3	140.4	152.4	154.8
4541	Electronic shopping and mail-order houses.....	18.5	23.6	47.0	75.3	84.4	100.0	114.5	128.3	136.4	160.6	176.6	170.5
4542	Vending machine operators.....	104.6	101.6	109.6	121.7	104.9	100.0	112.1	121.1	125.7	139.7	142.3	160.9
4543	Direct selling establishments.....	52.4	58.4	74.0	90.7	94.7	100.0	94.1	96.5	88.9	95.8	99.9	99.4
<b>Transportation and warehousing</b>													
481	Air transportation.....	76.7	80.0	98.3	96.0	91.0	100.0	110.2	124.2	133.6	140.5	143.0	-
482111	Line-haul railroads.....	44.7	62.3	75.8	86.6	92.4	100.0	105.0	107.2	103.3	109.3	104.4	-
48412	General freight trucking, long-distance.....	80.1	91.4	93.5	95.3	96.4	100.0	103.5	103.4	105.9	105.9	107.8	-
48421	Used household and office goods moving.....	130.9	137.9	122.6	116.2	102.9	100.0	105.7	108.6	108.5	109.0	114.3	-
491	U.S. Postal service.....	85.4	89.4	93.9	99.1	99.8	100.0	101.3	103.4	104.5	104.5	105.3	-
4911	U.S. Postal service.....	85.4	89.4	93.9	99.1	99.8	100.0	101.3	103.4	104.5	104.5	105.3	-
492	Couriers and messengers.....	103.6	108.8	69.8	90.0	92.6	100.0	102.2	96.7	95.3	98.0	92.5	-
493	Warehousing and storage.....	-	62.4	81.9	89.5	94.4	100.0	102.2	100.3	101.1	97.8	94.5	-
4931	Warehousing and storage.....	-	62.4	81.9	89.5	94.4	100.0	102.2	100.3	101.1	97.8	94.5	-
49311	General warehousing and storage.....	-	44.9	73.5	85.1	92.8	100.0	102.1	96.2	97.0	95.6	91.3	-
49312	Refrigerated warehousing and storage.....	-	106.7	114.7	109.4	98.0	100.0	105.8	114.0	101.8	92.2	97.7	-



50. Continued - Annual indexes of output per hour for selected NAICS industries

[2002=100]

NAICS	Industry	1987	1992	1997	2000	2001	2002	2003	2004	2005	2006	2007	2008
<b>Information</b>													
511	Publishing industries, except internet.....	54.7	62.5	85.3	99.9	99.5	100.0	107.8	111.6	116.6	123.1	128.1	-
5111	Newspaper, book, and directory publishers.....	100.3	91.7	95.6	102.9	101.0	100.0	104.7	101.9	103.1	107.2	109.1	-
5112	Software publishers.....	8.3	35.3	81.9	97.7	96.2	100.0	113.1	131.5	142.1	146.3	151.2	-
51213	Motion picture and video exhibition.....	90.9	104.2	100.2	106.7	101.8	100.0	100.6	103.8	102.5	107.5	110.8	-
515	Broadcasting, except internet.....	95.7	99.0	96.2	99.6	95.5	100.0	103.8	108.2	111.7	118.4	127.7	-
5151	Radio and television broadcasting.....	103.2	109.7	105.2	96.9	94.2	100.0	99.5	101.6	104.1	112.4	116.6	-
5152	Cable and other subscription programming.....	81.3	74.2	77.0	108.7	98.7	100.0	112.5	122.3	126.1	129.5	148.3	-
5171*	Wired telecommunications carriers.....	45.8	58.1	80.6	98.8	94.1	100.0	105.1	106.3	111.4	114.7	114.6	-
5172	Wireless telecommunications carriers.....	34.7	34.1	45.9	70.1	88.0	100.0	111.3	134.2	175.2	198.0	209.5	-
<b>Finance and insurance</b>													
52211	Commercial banking.....	68.8	78.5	93.6	98.0	95.8	100.0	104.5	110.2	111.6	114.8	115.8	-
<b>Real estate and rental and leasing</b>													
532111	Passenger car rental.....	80.9	91.4	87.3	98.0	97.0	100.0	105.7	103.2	95.8	97.2	113.6	-
53212	Truck, trailer, and RV rental and leasing.....	52.9	58.7	87.7	106.8	99.6	100.0	102.0	120.8	129.0	148.2	152.4	-
53223	Video tape and disc rental.....	59.1	78.5	76.7	103.5	102.3	100.0	113.9	118.5	110.6	135.2	171.1	-
<b>Professional and technical services</b>													
541213	Tax preparation services.....	74.4	78.5	89.8	90.6	84.8	100.0	98.7	89.7	93.1	92.7	105.4	-
54131	Architectural services.....	83.7	93.5	92.9	100.0	103.2	100.0	104.6	109.9	111.3	110.5	115.7	-
54133	Engineering services.....	89.8	96.8	99.5	101.5	99.6	100.0	100.0	107.3	111.8	112.5	109.5	-
54181	Advertising agencies.....	84.8	99.7	88.5	95.1	94.5	100.0	107.1	118.0	117.6	118.6	123.0	-
541921	Photography studios, portrait.....	100.5	98.7	102.4	111.6	104.7	100.0	106.7	95.4	95.9	101.2	107.0	-
<b>Administrative and waste services</b>													
561311	Employment placement agencies.....	-	-	85.6	76.9	85.2	100.0	98.7	102.5	99.3	106.0	113.7	-
56151	Travel agencies.....	70.0	72.4	78.4	93.6	90.3	100.0	115.4	131.0	140.5	143.8	149.4	-
56172	Janitorial services.....	71.1	87.2	94.7	95.7	96.7	100.0	112.5	110.4	114.3	110.0	115.9	-
<b>Health care and social assistance</b>													
6215	Medical and diagnostic laboratories.....	-	-	72.7	95.9	98.3	100.0	102.3	102.3	100.1	101.5	98.9	-
621511	Medical laboratories.....	-	-	81.2	103.5	103.7	100.0	104.5	106.2	102.2	103.4	105.6	-
621512	Diagnostic imaging centers.....	-	-	61.2	85.7	90.8	100.0	98.0	94.0	94.4	96.0	85.1	-
<b>Arts, entertainment, and recreation</b>													
71311	Amusement and theme parks.....	105.1	89.9	93.9	99.5	87.3	100.0	106.3	95.2	103.2	91.7	96.9	-
71395	Bowling centers.....	110.0	108.5	103.8	96.9	97.9	100.0	106.3	112.0	110.5	106.4	127.4	-
<b>Accommodation and food services</b>													
72	Accommodation and food services.....	88.1	93.2	94.6	100.1	99.1	100.0	101.5	103.2	102.8	102.9	102.1	-
721	Accommodation.....	76.7	81.0	89.3	98.5	96.4	100.0	101.0	106.4	102.1	99.0	97.3	-
7211	Traveler accommodation.....	75.6	80.4	89.2	99.2	96.6	100.0	100.9	106.5	102.5	98.9	97.1	-
722	Food services and drinking places.....	91.9	96.9	95.8	99.1	99.4	100.0	101.8	102.5	103.3	104.5	104.1	103.3
7221	Full-service restaurants.....	88.3	93.5	95.8	98.7	99.2	100.0	99.9	100.4	100.8	101.1	99.7	100.2
7222	Limited-service eating places.....	94.0	100.2	97.4	99.4	99.8	100.0	102.6	104.1	104.6	106.3	106.4	103.1
7223	Special food services.....	78.2	87.7	87.0	100.1	100.3	100.0	102.3	102.7	103.7	102.6	104.0	106.0
7224	Drinking places, alcoholic beverages.....	132.8	115.8	97.2	97.8	94.8	100.0	115.3	109.1	117.2	130.4	133.7	139.2
<b>Other services</b>													
8111	Automotive repair and maintenance.....	82.8	86.9	96.4	105.5	105.0	100.0	100.4	107.9	108.1	107.4	106.4	-
81142	Reupholstery and furniture repair.....	103.3	105.3	98.0	103.4	102.9	100.0	95.3	97.8	99.4	98.0	103.7	-
81211	Hair, nail, and skin care services.....	75.7	78.4	90.6	98.0	103.8	100.0	108.4	113.3	117.7	117.6	121.9	-
81221	Funeral homes and funeral services.....	109.7	112.2	105.8	100.3	97.1	100.0	101.2	98.3	98.4	105.2	102.6	-
8123	Drycleaning and laundry services.....	86.3	85.1	88.9	95.7	98.6	100.0	92.3	98.4	107.6	106.5	101.9	-
81292	Photofinishing.....	95.3	111.2	99.5	73.4	80.8	100.0	99.9	101.5	111.8	110.7	109.6	-

NOTE: Indexes for Wired telecommunications carriers are on a NAICS 2002 basis. Dash indicates data are not available.

51. Unemployment rates adjusted to U.S. concepts, 10 countries, seasonally adjusted

[Percent]

Country	2007	2008	2007				2008				2009	
			I	II	III	IV	I	II	III	IV	I	II
United States.....	4.6	5.8	4.5	4.5	4.7	4.8	4.9	5.4	6.0	6.9	8.1	9.2
Canada.....	5.3	5.3	5.4	5.2	5.2	5.2	5.2	5.3	5.3	5.6	6.7	7.5
Australia.....	4.4	4.2	4.5	4.3	4.3	4.4	4.0	4.2	4.2	4.5	5.3	5.7
Japan.....	3.9	4.0	4.0	3.8	3.8	3.9	3.9	4.1	4.1	4.1	4.5	5.3
France.....	8.1	7.5	8.6	8.2	8.1	7.7	7.2	7.4	7.5	8.0	8.7	9.3
Germany.....	8.7	7.5	9.2	8.8	8.6	8.2	7.8	7.6	7.4	7.4	7.7	8.0
Italy.....	6.2	6.8	6.2	6.1	6.3	6.4	6.6	6.8	6.9	7.1	7.3	7.4
Netherlands.....	3.2	2.8	3.6	3.2	3.0	3.0	2.9	2.8	2.6	2.8	3.1	3.3
Sweden.....	6.2	6.2	6.3	6.1	5.8	5.8	5.7	5.8	5.9	6.5	7.4	8.2
United Kingdom.....	5.4	5.7	5.5	5.4	5.3	5.2	5.3	5.4	5.9	6.3	7.0	7.8

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/flscompare.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	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
<b>Civilian labor force</b>											
United States.....	137,673	139,368	142,583	143,734	144,863	146,510	147,401	149,320	151,428	153,124	154,287
Canada.....	15,135	15,403	15,637	15,891	16,366	16,733	16,955	17,108	17,351	17,696	17,987
Australia.....	9,339	9,414	9,590	9,746	9,901	10,085	10,213	10,529	10,771	11,021	11,254
Japan.....	67,240	67,090	66,990	66,860	66,240	66,010	65,770	65,850	65,960	66,080	65,900
France.....	25,277	25,705	25,951	26,217	26,448	26,624	26,758	26,926	27,169	27,305	27,541
Germany.....	39,752	39,375	39,302	39,459	39,413	39,276	39,711	40,760	41,250	41,416	41,623
Italy.....	23,004	23,176	23,361	23,524	23,728	24,020	24,084	24,179	24,395	24,459	24,829
Netherlands.....	7,744	7,881	8,052	8,199	8,345	8,379	8,439	8,459	8,541	8,686	8,780
Sweden.....	4,403	4,429	4,490	4,530	4,545	4,565	4,579	4,700	4,752	4,827	4,887
United Kingdom.....	28,474	28,786	28,962	29,092	29,343	29,565	29,802	30,137	30,598	30,778	31,125
<b>Participation rate<sup>1</sup></b>											
United States.....	67.1	67.1	67.1	66.8	66.6	66.2	66.0	66.0	66.2	66.0	66.0
Canada.....	65.4	65.9	66.0	66.1	67.1	67.7	67.7	67.4	67.4	67.7	67.9
Australia.....	64.3	64.0	64.4	64.4	64.3	64.6	64.6	65.4	65.8	66.2	66.6
Japan.....	62.8	62.4	62.0	61.6	60.8	60.3	60.0	60.0	60.0	60.0	59.8
France.....	55.6	56.2	56.3	56.4	56.4	56.3	56.2	56.1	56.3	56.2	56.3
Germany.....	57.7	56.9	56.7	56.7	56.4	56.0	56.4	57.6	58.2	58.4	58.6
Italy.....	47.7	47.9	48.1	48.3	48.5	49.1	49.1	48.7	48.9	48.6	49.0
Netherlands.....	61.8	62.5	63.4	64.0	64.7	64.6	64.8	64.7	65.1	65.9	66.3
Sweden.....	62.8	62.7	63.7	63.7	63.9	63.9	63.6	64.9	65.0	65.4	65.2
United Kingdom.....	62.4	62.8	62.8	62.7	62.9	62.9	63.0	63.1	63.5	63.4	63.6
<b>Employed</b>											
United States.....	131,463	133,488	136,891	136,933	136,485	137,736	139,252	141,730	144,427	146,047	145,362
Canada.....	13,973	14,331	14,681	14,866	15,223	15,586	15,861	16,080	16,393	16,767	17,025
Australia.....	8,618	8,762	8,989	9,088	9,271	9,485	9,662	9,998	10,255	10,539	10,777
Japan.....	64,450	63,920	63,790	63,460	62,650	62,510	62,640	62,910	63,210	63,510	63,250
France.....	22,597	23,080	23,689	24,146	24,316	24,325	24,346	24,497	24,737	25,088	25,474
Germany.....	36,059	36,042	36,236	36,350	36,018	35,615	35,604	36,185	36,978	37,815	38,480
Italy.....	20,370	20,617	20,973	21,359	21,666	21,972	22,124	22,290	22,721	22,953	23,137
Netherlands.....	7,408	7,605	7,813	8,014	8,114	8,069	8,052	8,056	8,205	8,408	8,537
Sweden.....	4,036	4,116	4,230	4,303	4,311	4,301	4,279	4,334	4,416	4,530	4,582
United Kingdom.....	26,684	27,058	27,375	27,604	27,815	28,077	28,380	28,674	28,928	29,127	29,343
<b>Employment-population ratio<sup>2</sup></b>											
United States.....	64.1	64.3	64.4	63.7	62.7	62.3	62.3	62.7	63.1	63.0	62.2
Canada.....	60.4	61.3	62.0	61.9	62.4	63.1	63.3	63.4	63.6	64.2	64.2
Australia.....	59.3	59.6	60.3	60.0	60.2	60.8	61.1	62.1	62.6	63.3	63.8
Japan.....	60.2	59.4	59.0	58.4	57.5	57.1	57.1	57.3	57.5	57.6	57.4
France.....	49.7	50.4	51.4	51.9	51.8	51.5	51.1	51.1	51.2	51.6	52.1
Germany.....	52.3	52.1	52.2	52.2	51.5	50.8	50.6	51.2	52.2	53.3	54.2
Italy.....	42.2	42.6	43.2	43.8	44.3	44.9	45.1	44.9	45.5	45.6	45.6
Netherlands.....	59.1	60.3	61.5	62.6	62.9	62.2	61.8	61.6	62.5	63.7	64.5
Sweden.....	57.6	58.3	60.1	60.5	60.6	60.2	59.5	59.9	60.4	61.3	61.1
United Kingdom.....	58.5	59.0	59.4	59.5	59.6	59.8	60.0	60.0	60.1	60.0	59.9
<b>Unemployed</b>											
United States.....	6,210	5,880	5,692	6,801	8,378	8,774	8,149	7,591	7,001	7,078	8,924
Canada.....	1,162	1,072	956	1,026	1,143	1,147	1,093	1,028	958	929	962
Australia.....	721	652	602	658	630	599	551	531	516	482	477
Japan.....	2,790	3,170	3,200	3,400	3,590	3,500	3,130	2,940	2,750	2,570	2,650
France.....	2,680	2,625	2,262	2,071	2,132	2,299	2,412	2,429	2,432	2,217	2,067
Germany.....	3,693	3,333	3,065	3,110	3,396	3,661	4,107	4,575	4,272	3,601	3,140
Italy.....	2,634	2,559	2,388	2,164	2,062	2,048	1,960	1,889	1,673	1,506	1,692
Netherlands.....	337	277	239	186	231	310	387	402	336	278	243
Sweden.....	368	313	260	227	234	264	300	367	336	298	305
United Kingdom.....	1,791	1,728	1,587	1,489	1,528	1,488	1,423	1,463	1,670	1,652	1,783
<b>Unemployment rate<sup>3</sup></b>											
United States.....	4.5	4.2	4.0	4.7	5.8	6.0	5.5	5.1	4.6	4.6	5.8
Canada.....	7.7	7.0	6.1	6.5	7.0	6.9	6.4	6.0	5.5	5.3	5.3
Australia.....	7.7	6.9	6.3	6.8	6.4	5.9	5.4	5.0	4.8	4.4	4.2
Japan.....	4.1	4.7	4.8	5.1	5.4	5.3	4.8	4.5	4.2	3.9	4.0
France.....	10.6	10.2	8.7	7.9	8.1	8.6	9.0	9.0	9.0	8.1	7.5
Germany.....	9.3	8.5	7.8	7.9	8.6	9.3	10.3	11.2	10.4	8.7	7.5
Italy.....	11.5	11.0	10.2	9.2	8.7	8.5	8.1	7.8	6.9	6.2	6.8
Netherlands.....	4.4	3.5	3.0	2.3	2.8	3.7	4.6	4.8	3.9	3.2	2.8
Sweden.....	8.4	7.1	5.8	5.0	5.1	5.8	6.6	7.8	7.1	6.2	6.2
United Kingdom.....	6.3	6.0	5.5	5.1	5.2	5.0	4.8	4.9	5.5	5.4	5.7

<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 (1999, 2000, 2003, 2004), Australia (2001), France (2003), Germany (1999, 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, 17 economies

[2002 = 100]

Measure and economy	1980	1990	1994	1995	1996	1997	1998	1999	2000	2001	2003	2004	2005	2006	2007	2008
<b>Output per hour</b>																
United States.....	41.6	56.9	65.8	68.3	71.0	74.0	79.1	83.1	89.5	90.4	106.4	112.9	115.1	120.5	126.2	127.8
Canada.....	55.2	70.7	82.4	83.3	83.0	86.7	90.9	94.8	100.5	98.4	100.4	101.6	105.0	107.3	110.2	107.3
Australia.....	59.0	74.1	80.0	79.0	81.3	83.0	87.0	88.3	93.6	95.9	101.8	103.1	103.8	104.8	106.8	105.9
Japan.....	47.9	70.9	78.2	83.4	87.2	90.3	91.2	93.6	98.5	96.5	106.8	114.3	121.7	122.9	127.2	127.0
Korea, Rep. of.....	—	34.6	49.4	54.3	59.7	67.3	75.0	83.5	90.6	90.1	106.8	117.8	130.8	146.8	157.9	159.9
Singapore.....	—	51.0	66.9	71.3	74.7	77.1	83.1	91.5	97.7	91.8	103.7	110.0	112.0	114.7	110.3	103.1
Taiwan.....	29.3	53.6	62.8	67.4	72.5	75.5	79.1	84.0	88.3	92.2	102.6	107.1	114.8	122.5	133.5	132.8
Belgium.....	49.9	73.9	82.3	86.0	87.3	92.7	93.9	93.3	96.8	97.0	102.9	108.1	111.0	115.1	120.2	120.8
Denmark.....	66.1	79.3	90.8	90.8	87.8	94.8	94.3	95.8	99.2	99.4	104.2	110.2	113.7	119.0	119.4	114.1
France.....	42.9	63.6	72.4	75.2	75.5	79.9	84.1	87.8	94.0	95.9	104.5	107.3	112.3	114.9	116.3	115.4
Germany.....	54.5	69.8	79.3	80.6	82.9	87.7	88.1	90.2	96.5	99.0	103.6	107.5	113.5	123.1	129.3	129.2
Italy.....	56.8	78.1	89.8	94.2	94.6	96.5	95.2	95.9	100.9	101.2	97.9	99.3	100.8	102.6	103.1	99.6
Netherlands.....	48.0	68.3	79.0	82.1	83.9	84.1	86.6	90.1	96.6	97.1	102.1	109.0	113.9	118.2	121.4	119.7
Norway.....	70.1	87.8	89.2	88.1	90.8	91.0	88.7	91.7	94.6	97.2	108.7	115.1	119.1	116.7	116.4	117.2
Spain.....	57.9	80.0	90.2	93.3	92.2	93.1	94.7	96.4	97.4	99.6	102.5	104.4	106.4	108.5	111.1	110.1
Sweden.....	41.3	50.9	62.7	66.6	68.8	75.1	79.6	86.9	92.8	90.1	108.1	119.7	127.1	139.0	139.7	134.6
United Kingdom.....	46.3	72.8	83.5	82.1	81.4	82.9	83.7	87.8	93.7	97.0	104.2	110.8	115.5	119.8	123.8	124.2
<b>Output</b>																
United States.....	49.6	66.2	75.7	79.1	82.1	87.1	92.9	96.9	103.0	97.3	101.1	106.8	107.7	113.6	116.9	113.7
Canada.....	55.2	68.7	73.1	76.5	77.5	82.3	86.5	93.7	103.2	99.2	99.4	101.4	103.0	102.6	101.6	95.9
Australia.....	70.3	81.5	85.4	84.9	87.6	89.6	92.1	91.9	96.3	95.4	101.7	101.8	101.4	100.5	103.7	105.4
Japan.....	61.9	98.9	97.5	101.7	105.6	108.2	102.5	102.1	107.4	101.6	105.3	111.4	117.2	121.3	125.7	121.4
Korea, Rep. of.....	13.4	41.3	54.9	61.3	65.3	68.4	63.0	76.8	89.8	92.0	105.4	115.9	123.1	133.0	142.5	146.9
Singapore.....	—	51.2	68.5	75.4	77.4	80.8	80.2	90.6	104.4	92.2	102.9	117.2	128.3	143.6	152.2	145.9
Taiwan.....	30.2	60.5	71.1	75.0	78.9	83.5	86.1	92.4	99.2	91.8	105.3	115.6	123.6	132.5	146.3	144.7
Belgium.....	67.5	87.2	87.5	89.9	90.2	94.5	96.1	96.4	100.7	100.8	98.6	102.2	102.0	104.9	107.6	107.1
Denmark.....	77.3	85.5	90.3	94.7	90.3	97.7	98.5	99.4	102.9	103.0	97.2	98.8	99.3	103.4	107.2	105.2
France.....	69.5	81.5	80.9	83.8	83.6	87.5	91.7	94.8	99.1	100.1	101.9	102.8	105.2	104.9	105.7	103.2
Germany.....	81.3	94.5	90.9	90.1	88.2	92.0	93.1	94.0	100.4	102.1	100.7	104.3	107.8	115.6	122.7	123.5
Italy.....	71.1	88.2	91.4	95.7	95.2	96.6	97.5	97.3	101.4	101.1	97.3	98.0	97.8	101.1	103.1	98.4
Netherlands.....	59.3	77.0	82.0	85.1	86.3	87.5	90.5	93.8	100.1	99.9	98.9	102.3	104.3	107.9	111.3	110.6
Norway.....	95.1	91.4	94.1	94.6	98.4	102.7	101.9	101.8	101.3	100.5	103.3	109.2	114.1	117.5	123.6	127.3
Spain.....	58.8	73.7	73.2	76.0	77.9	82.9	87.9	92.9	97.0	100.1	101.2	101.9	103.1	105.0	106.0	103.8
Sweden.....	46.8	56.1	59.7	67.5	69.7	75.1	81.3	89.0	96.3	94.1	104.9	114.5	119.8	129.2	132.2	127.6
United Kingdom.....	78.5	94.9	95.6	97.1	97.9	99.6	100.3	101.3	103.6	102.2	99.7	101.9	101.7	103.4	104.0	101.0
<b>Total hours</b>																
United States.....	119.4	116.5	115.1	115.9	115.7	117.7	117.4	116.6	115.1	107.6	95.1	94.6	93.6	94.3	92.6	89.0
Canada.....	100.0	97.2	88.8	91.8	93.4	94.9	95.2	98.9	102.7	100.8	99.0	99.8	98.1	95.6	92.2	89.3
Australia.....	119.1	110.0	106.7	107.4	107.7	108.0	105.9	104.1	102.9	99.5	99.9	98.7	97.7	95.9	97.1	99.6
Japan.....	129.3	139.6	124.7	122.0	121.0	119.9	112.5	109.1	109.0	105.3	98.6	97.5	96.3	98.6	98.8	95.7
Korea, Rep. of.....	—	119.2	111.1	113.0	109.3	101.7	84.0	92.0	99.1	102.0	98.7	98.3	94.1	90.6	90.2	91.9
Singapore.....	—	100.5	102.4	105.7	103.7	104.8	96.5	99.0	106.8	100.5	99.3	105.5	114.6	125.2	137.9	141.5
Taiwan.....	102.9	113.0	113.3	111.2	108.9	110.6	108.8	110.1	112.4	99.6	102.7	107.9	107.7	108.2	109.6	109.0
Belgium.....	135.3	117.9	106.3	104.5	103.4	101.9	102.3	103.4	104.0	104.0	95.8	94.5	91.9	91.1	89.5	88.6
Denmark.....	117.0	107.8	99.5	104.3	102.9	103.1	104.5	103.7	103.7	103.7	93.3	89.6	87.3	86.9	89.8	92.2
France.....	161.9	128.2	111.8	111.3	110.7	109.4	109.0	108.0	105.4	104.4	97.5	95.8	93.7	91.3	90.8	89.4
Germany.....	149.3	135.3	114.5	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
Italy.....	125.1	113.0	101.8	101.6	100.7	100.1	102.5	101.5	100.5	99.9	99.4	98.7	97.0	98.6	100.0	98.9
Netherlands.....	123.6	112.7	103.9	103.7	102.9	104.0	104.5	104.1	103.6	103.0	96.8	93.9	91.6	91.3	91.7	92.4
Norway.....	135.6	104.1	105.5	107.3	108.4	112.8	115.0	111.0	107.1	103.4	95.1	94.9	95.8	100.7	106.2	108.6
Spain.....	101.6	92.1	81.1	81.4	84.5	89.0	92.8	96.4	99.7	100.5	98.8	97.6	96.8	96.8	95.4	94.3
Sweden.....	113.2	110.2	95.1	101.3	101.3	100.1	102.2	102.4	103.8	104.3	97.0	95.7	94.2	93.0	94.6	94.8
United Kingdom.....	169.8	130.4	114.5	118.2	120.3	120.1	119.8	115.4	110.6	105.4	95.7	92.0	88.1	86.3	84.0	81.3
<b>Hourly compensation (national currency basis)</b>																
United States.....	38.2	62.1	72.2	73.4	74.6	76.5	81.2	84.8	91.3	94.8	108.0	108.9	112.5	114.7	119.6	123.2
Canada.....	36.3	68.3	79.8	81.7	82.9	84.9	89.3	91.2	94.2	96.8	104.0	107.7	112.4	115.8	119.9	122.5
Australia.....	—	61.7	69.8	74.1	77.5	79.6	82.9	86.2	90.0	95.7	103.9	109.4	116.3	124.2	130.7	134.2
Japan.....	50.4	77.4	89.4	92.4	93.2	96.4	98.8	98.6	98.0	99.3	97.8	98.8	99.6	98.5	98.3	100.1
Korea, Rep. of.....	—	23.7	46.5	56.4	65.7	71.4	77.7	78.2	85.2	89.0	105.5	120.6	139.7	153.9	163.8	167.1
Singapore.....	—	56.2	77.5	81.0	87.0	90.9	96.1	87.9	90.2	97.3	100.6	97.9	96.8	95.0	94.3	94.7
Taiwan.....	20.4	58.6	76.4	82.7	88.2	90.8	94.2	95.9	97.6	103.7	101.0	102.1	105.7	108.9	112.4	113.8
Belgium.....	40.2	69.0	80.9	83.2	84.7	87.9	89.2	90.4	92.0	95.9	103.4	106.2	109.4	113.3	119.3	122.8
Denmark.....	32.6	68.6	77.7	79.3	82.5	85.4	87.6	89.8	91.6	95.9	106.8	110.9	117.2	122.9	126.1	130.5
France.....	28.2	64.2	77.6	79.9	81.4	83.8	84.4	87.1	91.8	94.2	102.3	105.5	109.4	113.7	116.8	120.3
Germany.....	35.8	59.7	77.1	81.2	85.1	86.7	88.0	90.0	94.7	97.6	102.2	102.8	104.1	108.4	110.3	113.0
Italy.....	19.6	61.3	78.0	82.5	87.0	91.1	89.4	91.7	94.1	97.2	103.8	107.4	110.8	113.0	115.5	118.5
Netherlands.....	41.1	61.9	75.0	77.0	78.4	80.5	83.9	86.7	90.9	94.8	104.0	108.4	110.0	113.1	116.7	120.5
Norway.....	24.7	58.5	66.2	69.2	72.1	75.3	79.7	84.2	89.0	94.4	104.1	107.5	112.6	119.5	125.2	132.2
Spain.....	20.7	59.0	83.8	87.4	89.5	91.6	92.3	92.1	93.5	97.2						

53. Continued— Annual indexes of manufacturing productivity and related measures, 17 economies

Measure and economy	1980	1990	1994	1995	1996	1997	1998	1999	2000	2001	2003	2004	2005	2006	2007	2008
<b>Unit labor costs</b>																
(national currency basis)																
United States.....	92.0	109.3	109.8	107.5	105.2	103.4	102.6	102.0	102.1	104.8	101.5	96.4	97.7	95.1	94.8	96.4
Canada.....	65.8	96.7	96.8	98.0	100.0	97.9	98.3	96.2	93.7	98.4	103.6	106.1	107.0	108.0	108.9	114.1
Australia.....	—	83.2	87.2	93.7	95.3	96.0	95.3	97.6	96.2	99.8	102.1	106.0	112.1	118.5	122.3	126.7
Japan.....	105.4	109.2	114.3	110.8	106.9	106.8	108.3	105.4	99.5	102.9	91.6	86.4	81.8	80.1	77.3	78.8
Korea, Rep. of.....	37.0	68.5	94.1	104.0	110.0	106.1	103.6	93.7	94.1	98.8	98.8	102.3	106.8	104.8	103.7	104.5
Singapore.....	—	110.3	115.9	113.6	116.5	117.9	115.7	96.0	92.3	106.0	97.1	88.9	86.5	82.8	85.5	91.9
Taiwan.....	69.5	109.3	121.6	122.7	121.6	120.4	119.1	114.2	110.5	112.4	98.5	95.3	92.0	88.9	84.2	85.7
Belgium.....	80.6	93.3	98.2	96.7	97.1	94.8	95.0	97.0	95.1	98.9	100.5	98.2	98.6	98.5	99.3	101.7
Denmark.....	49.4	86.4	85.6	87.3	94.0	90.0	92.9	93.7	92.3	96.5	102.5	100.6	103.0	103.3	106.6	114.4
France.....	65.6	101.0	107.1	106.1	107.8	104.8	100.4	99.3	97.6	98.3	97.9	98.3	97.4	98.9	100.4	104.3
Germany.....	65.7	85.5	97.2	100.8	102.7	98.9	99.9	99.7	98.1	98.6	98.7	95.7	91.7	88.0	85.3	87.5
Italy.....	34.5	78.6	86.8	87.7	92.0	94.4	94.0	95.6	93.2	96.1	106.0	108.1	110.0	110.2	112.1	119.0
Netherlands.....	85.6	90.5	95.0	93.8	93.5	95.7	96.9	96.2	94.1	97.7	101.8	99.5	96.6	95.7	96.2	100.7
Norway.....	35.3	66.6	74.2	78.5	79.4	82.7	89.9	91.8	94.1	97.0	95.8	93.4	94.5	102.4	107.5	112.8
Spain.....	35.7	73.7	92.8	93.6	97.0	98.4	97.4	95.6	96.0	97.6	102.5	104.1	107.0	109.5	112.3	118.8
Sweden.....	61.6	117.7	108.4	107.6	112.3	108.4	106.3	100.4	97.6	105.3	96.7	89.7	87.3	82.2	85.6	91.6
United Kingdom.....	52.9	83.3	84.9	87.9	88.3	90.5	96.4	97.3	96.7	97.6	100.7	98.9	100.4	101.6	101.5	103.7
<b>Unit labor costs</b>																
(U.S. dollar basis)																
United States.....	92.0	109.3	109.8	107.5	105.2	103.4	102.6	102.0	102.1	104.8	101.5	96.4	97.7	95.1	94.8	96.4
Canada.....	88.4	130.1	111.3	112.1	115.1	111.1	104.0	101.7	99.1	99.8	116.1	128.0	138.7	149.5	159.3	168.1
Australia.....	—	119.5	117.3	127.7	137.2	131.3	110.2	115.9	102.9	94.9	122.5	143.6	157.2	164.2	188.8	199.0
Japan.....	58.2	94.3	140.1	147.7	123.0	110.4	103.6	116.1	115.6	106.0	98.9	100.1	93.0	86.3	82.2	95.5
Korea, Rep. of.....	76.2	120.5	145.7	168.2	170.9	139.9	92.5	98.4	104.0	95.6	103.6	111.7	130.4	137.3	139.6	119.0
Singapore.....	—	109.0	135.9	143.5	147.9	142.1	123.9	101.5	95.9	105.9	99.7	94.2	93.1	93.4	101.6	116.4
Taiwan.....	66.6	140.3	158.7	159.9	152.9	144.5	122.6	122.1	122.1	114.8	98.9	98.6	98.9	94.4	88.5	93.9
Belgium.....	117.6	119.2	125.4	140.1	133.8	112.9	111.6	109.3	92.8	93.7	120.3	129.2	129.8	130.8	144.0	158.4
Denmark.....	69.1	110.1	106.2	123.0	127.8	107.4	109.3	105.8	89.9	91.4	122.9	132.5	135.5	137.1	153.1	177.3
France.....	107.8	128.7	134.1	147.7	146.2	124.5	118.0	111.9	95.3	93.1	117.2	129.4	128.3	131.5	145.6	162.4
Germany.....	74.7	109.4	124.0	145.6	141.2	117.9	117.4	112.4	95.8	93.3	118.2	125.9	120.8	117.0	123.7	136.3
Italy.....	82.6	134.3	110.4	110.2	122.1	113.5	110.8	107.7	91.0	91.0	126.9	142.2	144.8	146.5	162.5	185.4
Netherlands.....	100.4	115.9	121.7	136.3	129.3	114.2	113.8	108.4	91.9	92.5	121.9	130.8	127.2	127.2	139.5	156.8
Norway.....	57.0	85.0	83.9	98.9	98.1	93.2	95.0	93.9	85.2	86.1	108.0	110.6	117.2	127.6	146.6	159.8
Spain.....	87.6	127.3	122.1	132.2	134.8	118.1	114.8	107.7	93.8	92.4	122.7	136.9	140.9	145.6	162.9	185.1
Sweden.....	141.5	193.1	136.7	146.5	162.8	137.9	130.0	117.9	103.5	99.0	116.3	118.7	113.7	108.4	123.3	135.2
United Kingdom.....	81.9	98.9	86.5	92.3	91.8	98.6	106.4	104.7	97.6	93.5	109.5	120.6	121.6	124.6	135.2	128.0

NOTE: Data for Germany for years before 1993 are for the former West Germany. Data for 1993 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	-	-	-	-	-	-	-	-	-
<b>General building contractors:</b>													
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	-	-	-	-	-	-	-	-	-
<b>Heavy construction, except building:</b>													
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	-	-	-	-	-	-	-	-	-
<b>Special trades contractors:</b>													
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	-	-	-	-	-	-	-	-	-
<b>Durable goods:</b>													
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	-	-	-	-	-	-	-	-	-
<b>Lumber and wood products:</b>													
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	-	-	-	-	-	-	-	-	-
<b>Furniture and fixtures:</b>													
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	-	-	-	-	-	-	-	-	-
<b>Stone, clay, and glass products:</b>													
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	-	-	-	-	-	-	-	-	-
<b>Primary metal industries:</b>													
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
<b>Fabricated metal products:</b>													
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	-	-	-	-	-	-	-	-	-
<b>Industrial machinery and equipment:</b>													
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	-	-	-	-	-	-	-	-	-
<b>Electronic and other electrical equipment:</b>													
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	-	-	-	-	-	-	-	-	-
<b>Transportation equipment:</b>													
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	-	-	-	-	-	-	-	-	-
<b>Instruments and related products:</b>													
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	-	-	-	-	-	-	-	-	-
<b>Miscellaneous manufacturing industries:</b>													
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 (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.