

## Using all of the powers of local government to advance workers' rights

### Checklist for localities that **are not** significantly preempted by the state

- Be a model employer with high-road standards for your municipal workforce on wages, paid leave, and collective bargaining
- Establish a lasting institution devoted to workers within local government: Create a dedicated labor office for enforcement, outreach, and policy
- Give workers a formal voice in government: Establish a worker board or labor advisory council
- Enact worker protection laws, such as laws covering the following:
  - o Anti-wage theft
  - o Minimum wage
  - o Paid sick and safe leave
  - o Fair scheduling
  - o Protection for excluded workers (gig workers, freelancers, domestic workers, etc.)
  - o Retention laws
  - o Just cause termination
  - o Anti-discrimination laws: pay transparency, salary history ban, Crown Act, fair chance hiring
  - o Anti-retaliation laws
  - o Workplace safety
  - o Covid-related: hazard pay, right to recall, workplace safety
  - o industry specific: hotels, fast-food, grocery, car wash, etc.
- Create labor standards requirements and consequences for municipal government contractors and establish a method for operationalizing/enforcing these requirements
  - o Enact responsible bidder ordinances requiring disclosure and resolution of prior violations and disqualifying repeat violators from bidding
  - o Enact prevailing wage or living wage laws
  - o Establish local or targeted hiring policies
  - o Use project labor agreements, labor peace agreements, and community benefit agreements where appropriate
- Create labor standards requirements and consequences for applicants to obtain or renew permits or licenses issued by local government and establish a method for operationalizing/enforcing these requirements
  - o Require disclosure and resolution of prior violations before granting or renewing a permit or license
  - o Create a system for licensing/permitting agencies to routinely research and review grantees' workplace law compliance
  - o Set consequences for licensees/permit holders who commit serious violations
  - o Consider the carrot approach of swifter processing for high-road actors
- Use public leadership and bully pulpit of elected position
  - o Issue/commission reports
  - o Offer multilingual education/outreach about workers' rights
  - o Write public letters to companies
  - o Author op-eds
  - o Publish enforcement data
  - o Create one-stop complaint form
  - o Urge local DAs to bring labor cases
  - o Enlist local resources (NGO/private lawyers) to represent workers
  - o Show up and offer support at picket lines, unionizing workplaces, etc.
  - o Hold convenings or public hearings on worker matters
  - o Advocate at state and federal level for pro-worker policies
- Leverage public pensions' shareholder status to push for better labor standards
- Consider use of still-available American Rescue Plan Act (ARPA) funding for paid sick leave programs/enforcement and other qualified worker protection purposes



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### Checklist for localities that are significantly preempted by the state

- Be a model employer with high-road standards for your municipal workforce on wages, paid leave, and collective bargaining
- Establish a lasting institution devoted to workers within local government: Create a dedicated labor office for any enforcement you can do, as well as for outreach and policy. This office could, for example,
  - Assess possibilities for advancing workers' rights despite state preemption
  - Take the lead in many "public leadership" activities below, including issuing reports, holding hearings or convenings, conducting outreach, enlisting local resources, etc.
  - Develop a one-stop-shop worker complaint form and help package/refer cases to the relevant state and local agencies, as well as to nonprofit or private lawyers.
  - If permitted under state law, be cross-designated by the state labor dept to help enforce state workplace laws
- Give workers a formal voice in government: Establish a worker board or labor advisory council
- Enact worker protection laws that are not preempted, such as anti-wage theft laws
- Unless preempted, create labor standards requirements and consequences for municipal government contractors and establish a method for operationalizing/enforcing these requirements
  - Enact responsible bidder ordinances requiring disclosure and resolution of prior violations and disqualifying repeat violators from bidding
  - Enact prevailing wage or living wage laws
  - Establish local or targeted hiring policies
  - Use project labor, labor peace, and community benefit agreements where allowed/appropriate
  - Consider the carrot approach of swifter processing for high-road actors
- Unless preempted, create labor standards requirements and consequences for applicants to obtain or renew permits or licenses issued by local government and establish a method for operationalizing/enforcing these requirements
  - Require disclosure and resolution of prior violations before granting or renewing a permit or license
  - Create a system for licensing/permitting agencies to routinely research and review grantees' workplace law compliance
  - Set consequences for licensees/permit holders who commit serious violations
- Use public leadership and bully pulpit of elected position
 

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- Leverage public pensions' shareholder status to push for better labor standards
- Consider use of still-available American Rescue Plan Act (ARPA) funding for paid sick leave programs and other qualified worker protection purposes, including education and outreach.

Adapted from the June 13, 2022 report, *The Role of Local Government in Protecting Workers' Rights*



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