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OXFAM REPORT

BEST AND WORST STATES TO WORK IN AMERICA 2022

INCLUDING BEST STATES FOR WORKING WOMEN INDEX

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OXFAM

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ABOUT THE BEST STATES TO WORK INDEX

In 2018, Oxfam decided it was time to survey the states across the country, and to catalog the many policies that have a dramatic effect on workers’ lives. The result was the annual Best States to Work Index (BSWI), which scores and ranks the states.

This edition is the BSWI for 2022.

- The interactive map for all workers is here:
<http://www.oxfamamerica.org/statemap2022>
- The interactive map for working women is here:
<http://www.oxfamamerica.org/statewomenmap2022>

WHY 52?

This index covers all 50 states, plus the District of Columbia (a federal district) and Puerto Rico (a territory). There are many reasons to include these two, starting with the large populations of US citizens.

The workforce in DC measures roughly 800,000—larger than the total population of four states (Wyoming, Vermont, Alaska, and North Dakota). Puerto Rico has a population larger than nearly 20 states, with roughly 3.2 million inhabitants. Each also has a significant history of laws around working conditions and compensation.

For simplicity, we use the word “states” in this report to cover all 52 entities

WHAT’S THE TIMEFRAME?

All data is based on policies and laws in effect by July 1, 2022.

INTRODUCTION

The current landscape in the United States for workers and working families is notably dire. Inflation is at a generational high, hovering steadily above 9 percent as of July 2022 and climbing higher still for staples such as food, housing, and gas.¹ In a country with inadequate social infrastructure and even less public transit infrastructure, the impact of higher prices at the pump, in rent, and even basic foodstuffs leaves working families stuck making impossible decisions: pay for gas to get to work, pay the rent, or buy food?

This in the wealthiest nation in the world where workers, even working full-time, cannot afford sufficient food for their families.

Against this dire economic backdrop are recent Supreme Court decisions that in quick succession left people with fewer federal protections: increasing the likelihood of gun violence,² robbing people who can get pregnant of their constitutional guarantee to bodily autonomy,³ and weakening the Environmental Protection Agency's ability to enforce mandates limiting pollution.⁴ As the Supreme Court is shrinking the power of the federal government, states are left to decide people's basic rights and livelihoods, including when it comes to wages, worker protections, and rights to organize. Together, these metrics offer a window into workers' well-being, and the picture is one of rising inequality from state to state.

Despite the overwhelming news of the moment and the frustrations of the current political climate in the United States, there is important work happening at the state level that deserves celebration. While Congress continues in gridlock, progress has not halted everywhere and the political will at more local levels continues to demonstrate the wishes of communities to empower, protect, and respect individuals, especially workers.

The 2022 Best States to Work Index reflects new policy decisions at the state level that will help protect, pay, and support workers and working families. These policy decisions offer a blueprint for other states to step up for their residents, but they also illustrate to the federal government how discrete policy changes can improve the lives of many. Oxfam believes and data demonstrates that labor policies which benefit women, particularly women of color, make the landscape better for all workers. Policies such as paid leave and universal wages disproportionately benefit women and women of color, and they help all workers provide for themselves and their families. To further prove this, in our report this year Oxfam drew correlations between our index rankings and measures of well-being, such as food insecurity and poverty, which help demonstrate how robust labor policies enable communities' welfare.

In addition, people are working together to organize and demand greater respect and better treatment. The "Great Resignation" (the wave of people leaving their jobs seeking better pay and better treatment) has pushed employers to raise wages and offer better benefits more proactively. This year saw the continuation of a huge surge of worker organizing, resulting in historic successes of workers unionizing coffee shops and warehouses, unprecedented and largely unpredicted victories.⁵

According to the National Labor Relations Board (NLRB, the federal body that tracks union membership and must approve new petitions to unionize), petitions to unionize increased over 50 percent since last year.⁶ More workers are embracing their power as a collective to demand more, and the sentiment continues to spread.

So many jobs taken for granted before the COVID-19 pandemic were rightly identified as essential, and those workers are realizing that, without their labor, our entire society grinds to a halt. Workers are rising up more and more to demand that employers, society, and even policymakers acknowledge the importance of their labor.

Indeed, whenever a state moves up in the index, it is a direct reflection of the efforts of residents who have organized and demanded change for years. The power is in the hands of the people and the communities who seek more.

Hope is a powerful sentiment, and when it is in doubt at the national level, look locally.

ABOUT THE INDEX

For the last five years, Oxfam has produced the Best States to Work Index (BSWI), which tracks how states protect, support, and pay workers. Formulated in 2017 and published for the first time in 2018, this index was born out of a vacuum left by inadequate federal agencies and static federal policies in support of workers. The BSWI focuses on how states are compelled to address the failure of our national institutions to support workers and working families.

The 2022 BSWI tracks 26 policies across all 50 states plus Washington, DC and Puerto Rico, ranking the states from best (1) to worst (52).^a

Our ranking system is meant to inspire a race to the top for all states; it is an advocacy tool to help policymakers identify the spaces where there is room for improvement at the state level. There is no state with a perfect score; even those states at the very top of our ranking have room for improvement. The top state this year is Oregon, coming in first with a score of 86.72. On the other end of the spectrum, the bottom state, North Carolina, ranks 52nd with a total score of 4.55.

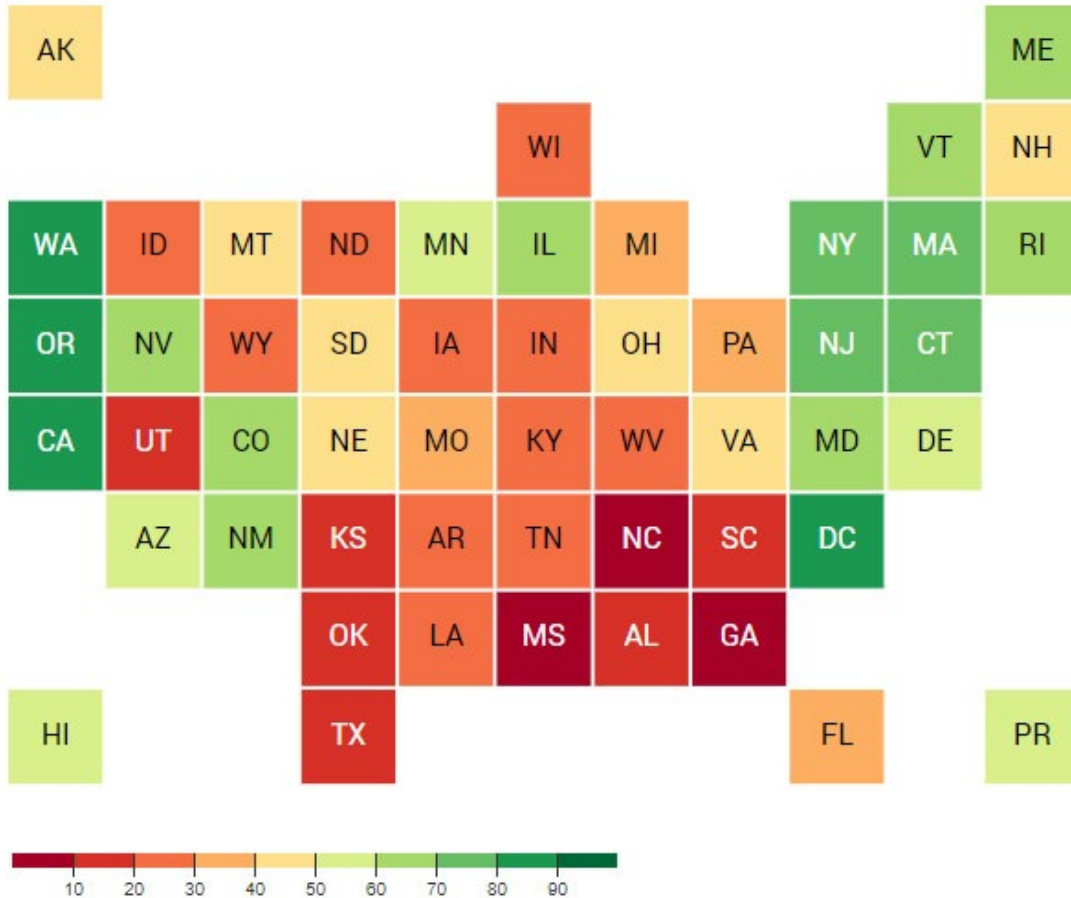
Table 1, below, provides this year's BSWI rankings and overall scores across all three policy dimensions tracked in the index: wages, worker protections, and rights to organize.

^a We note that while the report and our interactive map refer to all 52 localities as "states," we do know the District of Columbia is a federal district and Puerto Rico is an unincorporated territory. Our use of "states" is not a political statement of statehood and should not be taken as such, but rather a standardization of language for simplicity.

Table 1: The Best States to Work Index, September 2022

State	Ranking	Overall Score	Wages Score	Worker Protections Score	Rights to Organize Score
Oregon	1	86.72	69.93	96.43	100.00
California	2	85.56	70.14	92.86	100.00
Washington	3	83.33	89.57	78.57	80.00
District of Columbia	4	80.23	76.63	70.24	100.00
New York	5	79.31	67.02	78.57	100.00
Massachusetts	6	76.36	69.02	75.00	90.00
Connecticut	7	75.29	72.61	75.00	80.00
New Jersey	8	74.77	65.04	75.00	90.00
Colorado	9	68.38	70.95	64.29	70.00
Illinois	10	67.77	63.17	53.57	95.00
Vermont	11	66.73	60.58	57.14	90.00
New Mexico	12	65.64	66.20	54.76	80.00
Maine	13	65.57	67.06	53.57	80.00
Maryland	14	63.05	60.74	53.57	80.00
Rhode Island	15	60.66	51.65	57.14	80.00
Nevada	16	60.36	60.27	53.57	70.00
Puerto Rico	17	59.30	38.87	67.86	80.00
Minnesota	18	58.56	53.69	41.67	90.00
Hawaii	19	57.90	44.75	57.14	80.00
Arizona	20	52.05	69.72	33.33	50.00
Delaware	21	51.09	40.24	42.86	80.00
Virginia	22	49.62	40.71	48.81	65.00
Ohio	23	49.09	40.44	26.19	95.00
Alaska	24	43.66	58.10	22.62	50.00
Nebraska	25	43.36	28.20	41.67	70.00
Montana	26	42.85	49.84	22.62	60.00
South Dakota	27	42.23	60.78	22.62	40.00
New Hampshire	28	41.70	20.93	38.10	80.00
Florida	29	37.87	37.38	22.62	60.00
Missouri	30	37.27	45.25	19.05	50.00
Michigan	31	36.04	38.02	30.95	40.00
Pennsylvania	32	33.42	13.76	22.62	80.00
Arkansas	33	29.49	44.56	26.19	10.00
West Virginia	34	29.35	34.84	29.76	20.00
Kentucky	35	26.76	12.74	33.33	40.00
Indiana	36	26.40	5.58	26.19	60.00
Wyoming	37	25.43	21.91	19.05	40.00
Wisconsin	38	25.08	17.92	22.62	40.00
Iowa	39	24.95	17.57	22.62	40.00
North Dakota	40	24.12	18.63	26.19	30.00
Tennessee	41	23.12	9.87	33.33	30.00
Louisiana	42	22.98	8.48	34.52	30.00
Idaho	43	21.44	11.94	26.19	30.00
Utah	44	18.94	8.82	29.76	20.00
Oklahoma	45	18.80	8.45	22.62	30.00
Kansas	46	18.48	4.53	19.05	40.00
South Carolina	47	12.51	2.11	33.33	0.00
Texas	48	11.56	12.24	19.05	0.00
Alabama	49	10.06	6.40	14.29	10.00
Georgia	50	7.52	8.39	11.90	0.00
Mississippi	51	7.11	5.27	0.00	20.00
North Carolina	52	4.55	4.09	8.33	0.00

Figure 1: Overall BSWI Scores, 2022



Many of the policies tracked in our index are currently missing at the federal level, so while this index is meant as a tool for state policymakers and residents to advocate at the local level, it is also a tool for the federal government to identify the many policies that if implemented at the national level would benefit millions of workers and working families. The following sections provide an overview of each of the three policy dimensions in depth.

For a full database with scores on each data point for each state, please refer to the interactive map on the Oxfam website: www.oxfamamerica.org/statemap2022.

WHAT DOES THE INDEX TELL US?

Although the index is a complex capture of 26 policies across three policy dimensions—wages, worker protections, and rights to organize—the basic question this index seeks to answer is: Which states are proactively seeking to protect and support workers and working families? The three dimensions of the index create the foundation for improving the lives of all workers and working families. Essentially all workers fare better with stronger wages, rights to organize and collectively bargain, and robust protections in the workplace, regardless of location.

WHAT'S NEW IN THE INDEX THIS YEAR?

A new data point in the index reflects the urgency of protecting workers from the hazards posed by climate change; it captures a measure of whether states are setting standards for protections from the threat of increasing heat. As extreme heat waves hit the country (and the world), workers are increasingly vulnerable to heat exhaustion both outdoors and indoors, which can result in illness or death. There are currently no federal protections for heat exposure for workers, whether they are working in a field or in a kitchen. In the last decade nearly 400 workers have died from heat exposure on the job, to say nothing of heat-related illnesses, and yet still there is no safety standard to prevent this loss of life.⁷

While the Occupational Health and Safety Administration (OSHA) has been tasked with establishing a federal heat standard, it is estimated it will take roughly eight years to put in place. As the federal government lags on establishing a heat standard, some states have stepped up to create new safety standards. Three states have passed laws mandating heat protections for outdoor workers: Oregon, Washington, and California. Other states are making important strides as well. In May 2022, Colorado passed a heat standard for agricultural workers, an important step in the right direction; and Minnesota has also created a heat standard, though it only applies to indoor workers. While a heat standard for indoor workers is an important first step, most heat-related incidents occur among outdoor workers; according to OSHA, in 2016, outdoor workers experienced 52.3 percent of heat-related illness and 79.2 percent of deaths.⁸ And though Colorado's heat standard for agricultural workers is an important win, the prevalence of deaths and injury related to heat among other outdoor workers demands broader action.

As the heat index continues to climb, the need for greater safety mandates from the federal government is crucial. There is no excuse for workers to perish on the job.

INDEX SCORES

The states are ranked on a scale of 0-100 points, and the difference between those at the bottom of the index and at the top are stark. These policies can determine whether workers are safe at work, can afford food for a family, or whether they have a voice in the workplace.

At the top of the index, as has been the case each year, the top five states are coastal, reflecting both the West Coast and the Northeast. At the top of the index, again as last year, is **Oregon** with a cumulative score of 86.72, a score boosted not only by the state's strong unemployment benefits but its status as one of the few states with a heat standard for outdoor workers. **California** comes in second, with a cumulative score of 85.56; in third place is **Washington** with 83.33; fourth is the **District of Columbia** with 80.23; and fifth place is **New York** with 79.31.

Unsurprisingly, due to its inclusion in our index this year, the top three states are the only states with a heat standard for outdoor workers in the country. However, beyond the heat standard the top three states in the index all have strong minimum wages, have done away with subminimum tipped wages, mandate paid leave, and protect rights to organize, among other policies.

At the bottom of the index, the five lowest-ranking states fall once again in the South, and none scores above 12 points: **North Carolina** (52) has a score of 4.55, **Mississippi** (51) scores 7.11, **Georgia** (50) scores 7.52, **Alabama** (49) scores 10.06, and finally **Texas** (48) scores 11.56. Of these bottom states, all have a minimum wage stuck at the federal level of \$7.25, none mandates paid leave, and all have so-called "right to work" laws on the books.

CHANGES IN INDEX RANKINGS SINCE 2021

For the most part, state rankings have stayed within a few positions of their scores from last year. The upward movements largely reflect regular increases in minimum wages by states, some of which have created automatic annual increases, though there are a few new policies on the books since our last index that are certainly worth celebrating.

- Louisiana passed pregnancy accommodations for private sector workers, protecting workers who is pregnant from losing a job or being asked to do overly strenuous tasks.
- Connecticut and Maryland passed paid family leave, allowing workers who expand their family to keep their jobs and receive pay.
- New Mexico passed paid sick leave, protecting workers from losing their jobs and guaranteeing financial support when they or a loved one falls ill.
- Nevada passed new legislation stopping private sector employers from requesting past salary information from their new hires, enshrining greater pay equity.

While there is still much to be done to protect and support all workers and working families, victories must be celebrated. These new policies are the direct result of decades of advocacy by workers, organizers, and community members who successfully pushed policies across the finish line with the help of locally elected officials. These crucial policy steps at the state level ensure more workers are treated with the dignity and respect they deserve.

TRENDS ACROSS THE COUNTRY

The BSWI reveals several illuminating, and altogether consistent, trends and patterns among the states:

- State labor policies vary dramatically.
 - BSWI overall scores range from 4.55 (North Carolina) to 86.72 (Oregon), showing the widening gulf of inequality in this country based entirely on geography.
- Regions show distinct patterns—to a point.
 - While states within the four Census Regions tend to score close to each other (for example, states in the Northeast score much higher than states in the South), several bordering states stand in marked contrast to each other. For example, in the Midwest, Illinois (10) is between Wisconsin (38) and Indiana (36). On the West Coast, Oregon (1) and Washington (3) are next to Idaho (43), while Colorado (9) borders Utah (44).
- Even the highest state minimum wage is not enough to support a family.
 - According to a simple ratio of the minimum wage compared to the basic cost of living for a family of four, no state minimum wage reaches even half the cost of living for a family of four with one wage earner. The closest is Washington, where the minimum wage covers 38 percent of the cost of living for a family. All states have done worse in this measure when compared to last year's index, thanks in large part to inflation. No minimum wage has kept up with the historic inflation of this year, least of all the federal minimum (which, at \$7.25 an hour, is a poverty wage that is depressing the wage floor for all workers).
- Workers need more robust protections at the state and federal levels.
 - While we must celebrate the policy wins at the state level that have passed since 2021, there are still huge gaps in protections and coverage for workers. The majority of states still lack any kind of paid leave, fair scheduling practices, or protections for excluded workers. While this country waits for the federal government to close these gaps, states and localities must continue to be proactive in the fight for workers' rights.

REGIONAL ANALYSES

The eight regions identified by the US Bureau of Economic Analysis (which excludes Puerto Rico) are illustrated, and the differences are important. Consistently across each year of BSWI, the Far West, Mideast, and New England regions outperform the rest of the country while the Southeast consistently performs worst.

Figure 2: BSWI Scores, US Bureau of Economic Analysis regions, 2022

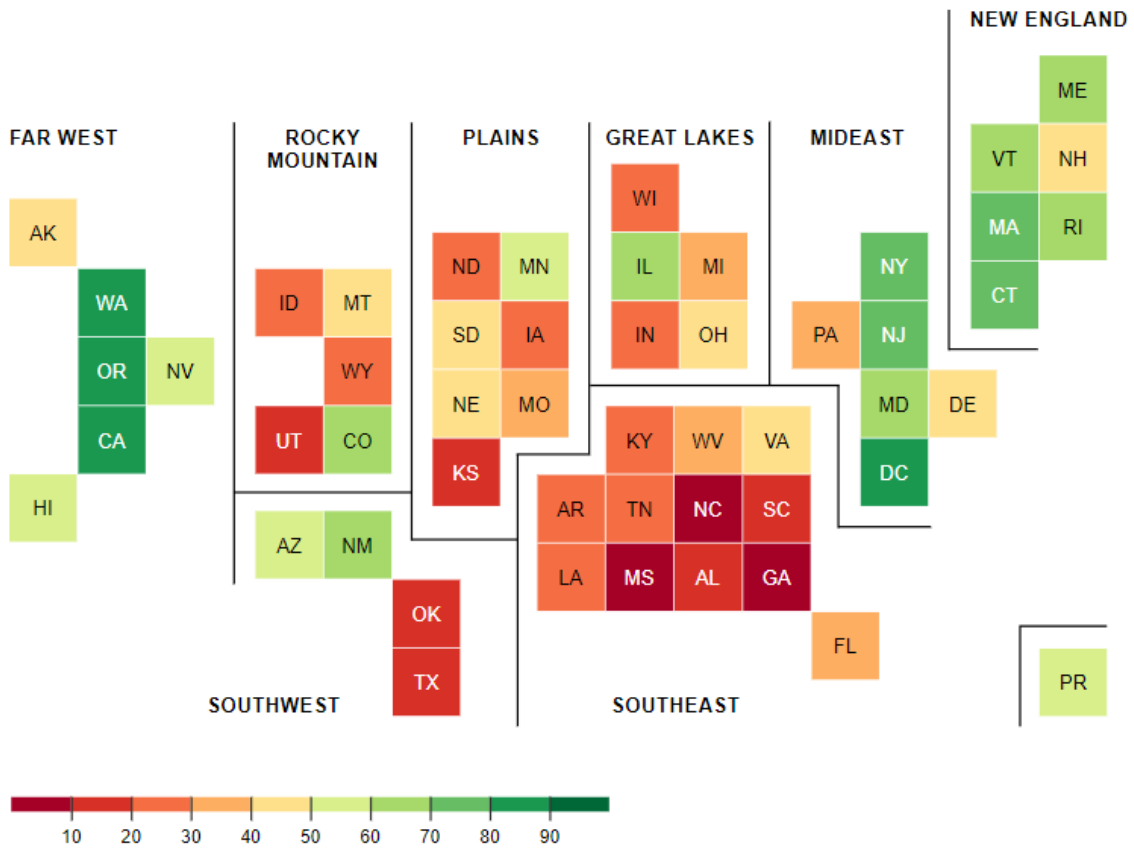
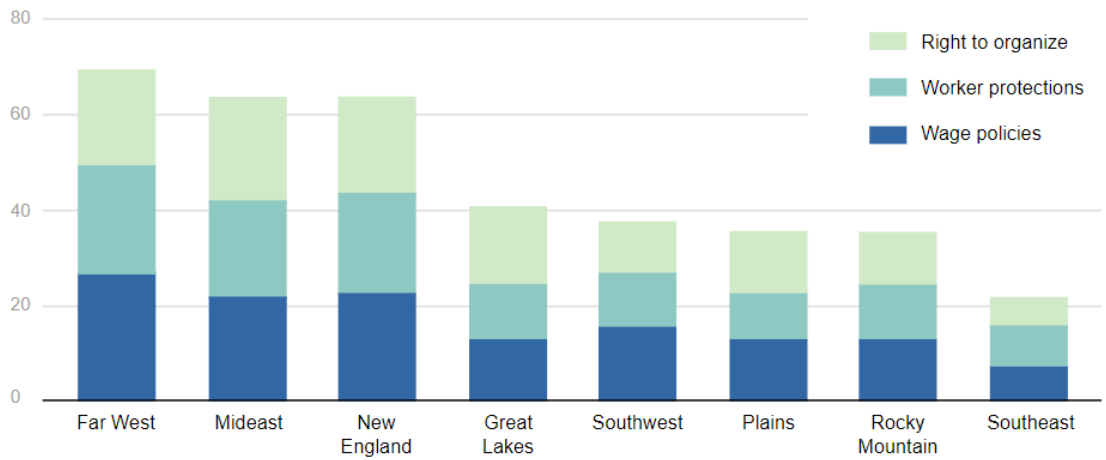


Figure 3: BSWI Scores, US Bureau of Economic Analysis regions, 2022



This chart shows the average cumulative score of each region, with color-coded representation of each dimension. The helpful visualization helps emphasize how the Far West scores best on wages, especially given the states' comparably strong unemployment benefits, but the Mideast is stronger in terms of rights to organize. The Southeast fares worst on all dimensions.

HOW CAN POLICYMAKERS USE THE BSWI?

Oxfam's goal with the BSWI is always to inspire a race to the top among policymakers at the state and federal levels. This index is a celebration of what can happen when policies are created with the well-being of people in mind. Workers and working families can thrive when they are valued. This index seeks to shine a light on where policymakers are responding to and enacting policies put forward by workers and workers' advocates, and where policymakers can do more.

Oxfam hopes the BSWI can inspire this race to the top in three key ways.

First, this index allows a state to evaluate its labor policies, and it provides guidance as to the types of legislation the state government may enact to improve its treatment of workers. States may gain inspiration from neighboring states or states ranking just above them. Small policy changes can mean worlds of difference for their residents.

Second, the research can guide policymakers and advocates toward the states where the most improvement is required. Overall, states found at the bottom of the BSWI need greater efforts to advance labor legislation.

Third, and finally, this index underlines the stark differences in conditions faced by workers and working families based only on geography. Our federal government has the power to raise the bar at the national level to make certain that all workers are paid a robust wage, are protected at work, and are ensured rights to organize.

BEST STATES FOR WORKING WOMEN

Although the BSWI has always placed an emphasis on the experience of women in the workplace, and it has included many policies that directly or disproportionately impact women (e.g., equal pay or pregnancy accommodations), we pulled out specific policies to provide a separate index to cover women at work. These data points appear in the overall BSWI, but by extracting these specific policies we aim to emphasize which states proactively seek to support women workers.

The failed attempt to pass President Biden's Build Back Better Plan with extra federal money earmarked for care investment, and the recent overturning of *Roe v. Wade* by the US Supreme Court, have put a special emphasis on the culture and policy wars raging around women's bodies and disproportionate responsibilities in the home. As these issues entered the national conversation in more robust ways over the last year, the geography of these policies supporting women as workers and earners became more important than ever.

The differences between states in our Best States for Working Women (BSWW) index are significant. Essentially, where a woman lives and works defines whether she will be treated with dignity and respect in the workplace and whether or not she can provide for a family. Not surprisingly, those states that rank at the bottom of our index for working women are the same states with trigger laws where the overturning of *Roe v. Wade* by the Supreme Court swiftly made it either incredibly difficult or literally impossible for women to access abortion.⁹

Without access to paid leave or other protections at work, workers who become pregnant will have to choose between their jobs and their health. According to a recent report by our colleagues at the National Partnership for Women & Families, these new state abortion bans could harm almost 15 million women of color, with disproportionate impacts felt especially by Black and Native communities.¹⁰ This new legal reality means that millions of women live in states where they are forced to carry babies to term while they are not paid sufficiently to support themselves, much less a family; and there are no laws on the books to support parents—especially mothers—in the process of working while pregnant, breastfeeding, or if a child falls ill and needs to be cared for, to say nothing of paid time off while giving birth.

THE CARE CRISIS IN THE US

The care crisis in the United States, one that falls disproportionately on women, usually focuses on the need for greater support around child care, elder care, and care for those with disabilities—often the most expensive services for any family budget.

And though for a beautiful, and all too brief, time there were thirty percent fewer children living in poverty in the United States as a direct result of the expansion of the Child Tax Credit (CTC), the expansion ended in December 2021. The expanded CTC switched a tax credit sent out at the end of tax season to direct monthly payments to families, increased the amount of money for all children, and allowed families to claim the credit even if they earned little or no income.¹¹ During this ten-month expansion, the monthly checks sent from the federal government to help offset the cost of raising children reached nearly 61.2 million children and cut child poverty rates by 30 percent within the first six months.¹² This policy helped families improve nutrition, reduced credit card debt, and increased the ability for families to save for long-term investments like education.¹³ But through federal inaction, this credit expired, leaving estimates of up to 3.7 million more children in poverty. Put in other terms, the end of this small monthly stipend to families meant child poverty jumped from 12.1 percent to 17 percent.¹⁴ This expired policy leaves many families in dire straits, creating a gap where low-wage working families who for a time could more easily afford to feed their children and pay for child care are now without support.

Due to the disproportionate care responsibilities faced by women, and the lack of support at the federal and, in many cases, state level for caregivers, women have left the workforce in droves (especially at the beginning of the pandemic).¹⁵ The lack of affordable child care and elder care, as well as the lack of paid leave for people needing to give birth or care for loved ones, means many workers are given the choice between employment or providing care. An investment in the care economy is an investment in women workers.

On the other side of the spectrum of the BSWW, the top ten states for working women according to our index are those same states that have enshrined and protected the right to an abortion.^b The strong correlation between states that support women at work and states that support women's reproductive freedom further demonstrates the huge policy gaps that exist based solely on where someone in this country lives. While the federal government and the Supreme Court continue to either sit idly by or actively dismantle constitutional rights, states must step into the gap.^c

^b The highest courts in California, Illinois, New Jersey, and Minnesota, for example, have recognized abortion rights under their state constitutions. See Center for Reproductive Rights, "After Roe Fell: Abortion Laws by States," <https://reproductiverights.org/maps/abortion-laws-by-state/>.

^c With the end of Roe v Wade as the law of the land, there are legislative options for the federal government. In front of Congress now, there is the [Women's Health Protection Act](#), the [EACH Act](#), and the [MARCH Act](#).

The components we chose to pull out of the main BSWI and highlight for our capture of the Best States for Working Women Index are as follows:

- **Wages.** We focus specifically on the ratio of tipped wages to cost of living for one wage earner and two dependents (69 percent of tipped minimum wage workers are women,¹⁶ 36 percent are mothers, and over half of those are single mothers¹⁷).
- **Worker Protections.** We looked at the following for worker protections:
 - Pregnancy accommodations and the right to pump in the workplace, specifically the private sector
 - Equal pay
 - Paid leave (medical and family)
 - Fixed and fair scheduling
 - Protection against sexual harassment in the workplace
 - Domestic worker protections
- **Rights to organize.** We looked at rights to organize for public school teachers. This workforce is the largest sector of public workers in the United States, and as of 2017, 76 percent of public school teachers were women.¹⁸

Since the number of data points for the Best States for Working Women index differs from the number of data points in our BSWI, we also developed a separate weighting system for the overall score of this index based on the above three dimensions. The weight breakdown of each dimension, just as in last year’s women’s index, is as follows: 20 percent wages, 60 percent worker protections, and 20 percent rights to organize. The discrepancy in the weights is largely due to the volume of data points in the worker protections dimension, and the wish to give each policy at least 10 percent of the overall score.

Figure 4: Overall Best States for Working Women Index Scores, 2022

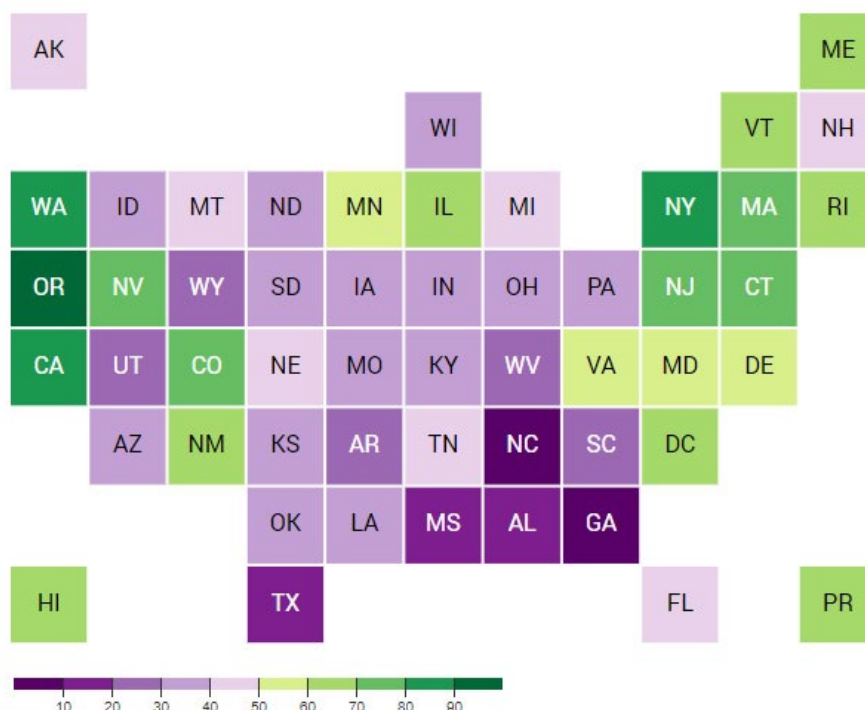


Table 2: Ranking and Scores for Best States for Working Women, September 2022					
State	Ranking	Overall Score	State	Ranking	Overall Score
Oregon	1	94.93	Florida	27	41.55
California	2	89.32	Michigan	28	41.43
New York	3	85.84	Missouri	29	39.96
Washington	4	80.00	South Dakota	30	39.41
Connecticut	5	78.72	Indiana	31	39.14
Massachusetts	6	76.68	Ohio	32	38.00
New Jersey	7	75.93	Iowa	33	37.30
Nevada	8	75.35	Idaho	34	36.06
Colorado	9	70.63	Pennsylvania	35	34.90
Hawaii	10	69.43	Kentucky	36	33.94
Puerto Rico	11	69.33	Oklahoma	37	33.91
Illinois	12	68.18	Wisconsin	38	33.87
District of Columbia	13	67.42	North Dakota	39	33.74
Vermont	14	63.86	Kansas	40	33.72
Maine	15	61.90	Arizona	41	32.35
Rhode Island	16	60.47	Louisiana	42	32.13
New Mexico	17	60.05	Arkansas	43	29.94
Minnesota	18	59.54	West Virginia	44	29.65
Maryland	19	57.08	Utah	45	28.75
Virginia	20	56.67	Wyoming	46	23.99
Delaware	21	50.30	South Carolina	47	23.90
Alaska	22	47.58	Texas	48	13.87
Nebraska	23	47.02	Mississippi	49	10.78
Montana	24	45.29	Alabama	50	10.76
Tennessee	25	44.29	Georgia	51	8.83
New Hampshire	26	43.72	North Carolina	52	3.60

As with last year, the most significant difference between the data we collect for the regular BSWI and the data for the BSWW is how we measure the tipped wage. Whereas in the regular BSWI we use a ratio of the state tipped wage to the state minimum wage, in the BSWW we instead focus on the ratio of the tipped wage to the cost of living at the state level for a single working parent. The point of this distinction is that most tipped workers are women, and particularly women of color, and often they are working parents.¹⁹

The policy decision to have a subminimum tipped wage traps many women, especially single moms, in cyclical poverty. According to our colleagues at the National Women’s Law Center, poverty rates are nearly 30 percent higher in states that maintain a subminimum tipped wage compared to those which have ended the policy altogether.²⁰ While the tipped wage is based on the assumption that customers will compensate workers directly for their service *and* that employers are legally obligated to ensure tipped workers earn at least the state minimum wage, the enforcement of this policy is lax at best, leading to rampant wage theft.²¹ Making matters worse, the reliance on customers to make up the difference in wages through tips leads to disproportionately high levels of sexual harassment for workers, especially women, in tipped wage jobs.²²

Six states have proactively ended the policy of a subminimum tipped wage, extending the equivalent of their minimum wage to all workers, a decision that goes a long way to tackling gendered poverty. These states are Alaska, California, Minnesota, Montana, Oregon, and Washington. The trend of the West Coast outperforming the rest of the country in our index continues when focused only on the tipped wage question, though in the BSWW, the West

Coast maintains its overall strong performance. In general, the top states in our BSWI also feature in the top ten of the BSWW. However, when focused specifically on policies that directly or disproportionately benefit women, certain states rise higher in the ranks.

As in last year's BSWW, one of the states that specifically performs notably better in the women's index when compared to the regular index is Hawaii. The only state that created a feminist economic recovery plan with the onset of the COVID-19 pandemic, Hawaii's emphasis on women can also be seen in its rankings jump in the women's index.²³ While in the regular index Hawaii ranks 19th, in the women's index it is 10th.

On the other end of the spectrum, the same states which feature at the bottom of the regular index can also be seen at the bottom of the women's index. The South dominates the bottom rankings of both indexes, reflecting the lack of policies in support of working women and families in that region.

The need for paid leave at the state and federal levels is especially important as care responsibilities overwhelmingly fall to women; as federal policy stands now, if a family member gets sick, women without paid leave must choose between caring for their loved one or losing their job.

On the bottom end of the BSWW, much like the overall index, are the Southern states, where worker protection policies geared toward women in the workplace hardly exist; tipped wages are at the federal minimum of \$2.13; and rights to organize are denied to workers, including public school teachers.

Importantly, all states that do not include any protections against sexual harassment in the workplace are in the South: Alabama, Georgia, Mississippi, and North Carolina. The relative consistency in rankings across our BSWI and the BSWW underscores the fact that states that value women in the workplace value workers. The consistency also illustrates the fact that more than anything else, federal action is needed to lift the standard for all workers, including those living in states where local inaction persists. Reflecting many of the policies tracked in BSWW, our colleagues at Legal Momentum have created a useful guideline specific to women in the workplace, the [Working Woman's Bill of Rights](#), which outlines the different legal protections most needed to support women at work. These resources are key to policymakers hoping to proactively support and protect working women at the state and federal level.

ANALYSIS OF THE THREE POLICY AREAS

DIMENSION 1: WAGES – 40 PERCENT OF OVERALL SCORE

The federal minimum wage in the United States has not changed in 13 years, the longest period the minimum wage has remained unchanged since the policy was created under President Roosevelt during the New Deal. The real value of the minimum wage has steadily decreased since it was passed, and against the current backdrop of historic inflation the buying power of minimum wage workers is steadily shrinking.²⁴ Adjusted for inflation, the minimum wage was at its strongest in 1968 and has been steadily decreasing since. The minimum wage has lost over 20 percent of its value since the federal government last raised it in 2009, trapping millions of working families in poverty.²⁵

While the current federal minimum wage is woefully inadequate, the current economic reality where inflation is at a 40-year high, and housing, food, and gas cost more than they have in decades, means even the push for a \$15 minimum wage remains insufficient. In March 2022, Oxfam released a report focused on low wage workers, *The Crisis of Low Wages in the US*.²⁶ According to our research, nearly one-third of workers (31.9 percent) earn less than \$15 an hour, a number that equates to \$31,200 a year *before taxes*. This means 51.9 million workers are presently struggling to afford housing and food for themselves, to say nothing of any dependents.²⁷

In response to this reality, many states (and cities) have acted to support workers by increasing their wages and, in some cases, ending policies of subminimum tipped wages to help financially elevate more workers.^d The importance of raising the minimum wage *and* ending subminimum tipped wages is crucial to create an even playing field and higher wage floor for all workers. Put simply, too many working families live in poverty; this does not need to be true.

The wage dimension of the BSWI focuses on several key policies that create a picture of how states approach the issues of wages for their workers. These include the following:

- Ratio of minimum wage to cost of living for a family of four
- Ratio of tipped wage to minimum wage
- Local control over minimum wages
- Extension of the minimum wage to farmworkers
- Ratio of Unemployment Insurance (UI) benefits to cost of living for a family of four

As in each dimension, each state earns a score on a scale of 0 to 100; scores closer to 100 indicate states are more invested in properly compensating workers. However, though minimum wages vary across the United States—from the federal minimum of \$7.25 to the national high of \$16.10 in the District of Columbia—no state pays its minimum wage workers enough to cover

^d See our interactive map and spreadsheet of data for full overview of state wages.

the basic cost of living for a family. As in past years, the wage dimension tracks the ratio of the minimum wage to the basic cost of living for a working family (two adults, two children) with one wage earner.^e

No state's minimum wage covers even half the cost of living for a family. The closest any state comes is Washington, where the minimum wage of \$14.49 covers 38.5 percent of a family's expenses, and the District of Columbia, where the nation's highest minimum wage (\$16.10) covers 35.6 percent of a family's cost of living. Though the minimum wages in both states are higher this year than last, the impact of inflation on all basic costs means the value of the wages has still decreased in proportion to the costs of living they cover (compared to the 2021 BSWI).

Still, the purpose of our use of ratios to measure minimum wages is not only to celebrate those states which continue to proactively raise their minimum wages (in some cases annually and indexed to inflation), but to demonstrate that even those states that far outperform others in terms of wages are still not keeping up with costs for a family. While the United States continues to rely on individuals to pay for every basic necessity, and provides little to no safety net for families needing help paying for things as expensive as child care or basic health care, all wages remain insufficient, especially as costs continue to skyrocket. Despite having the strongest wage in the country, the cost of living in the District of Columbia still remains so high that people earning the highest minimum wage in the country cannot afford housing for a family.

Like last year's index, the BSWI also includes a measure of the tipped minimum wage, specifically the ratio of what proportion of the state minimum wage is covered by the tipped wage. There are an estimated 4.3 million tipped wage workers in the United States, and while subminimum wages continue to exist, these workers are stuck at higher levels of poverty than their minimum-wage working peers.²⁸ The federal tipped minimum wage is \$2.13 and has been stuck there since 1991 (in contrast to the federal minimum wage which was most recently increased in 2009). The tipped minimum wage is now less than 30 percent of the full minimum wage, which itself has lost more than 20 percent of its value since it was raised in 2009.²⁹

While state-level minimum wages are still insufficient to cover the basic costs of living for a working family, states that provide what is often termed "one fair wage"—one wage for workers regardless of whether they are tipped workers or not—are in a better position to impact levels of poverty and improve gendered wage gaps, especially for women of color.³⁰ Currently only six states are considered "one fair wage" states. There is much room for improvement.

This year's BSWI continues last year's inclusion of the ratio of average weekly unemployment insurance (UI) payments for a full-time minimum wage worker to the cost of living. Since UI

^e Oxfam believes a living wage should provide for a family and should not require two wage earners. The BSWI therefore uses a family of four with one wage earner as our standard for measuring wages. While the average family has multiple wage earners, considering only one wage earner in the family speaks to childcare needs that are currently outside the realm of affordability for most. This is an aspirational standard for how significantly the US minimum wage needs to be increased to provide for a family in this country. It also reflects the reality that even with two wage earners, the cost of child care currently is so high it is nearly the equivalent of a full salary for one parent if they make the minimum wage, rendering that second salary near moot to cover all other family costs. For example, a full-time minimum wage worker earns \$15,080 before taxes. The current average cost of childcare is \$14,117 due to inflation. For more, see Thier, Jane. "The Cost of Child Care Has Risen By 41% During the Pandemic With Families Spending Up To 20% Of Their Salaries." *Fortune*, January 28, 2022. <https://fortune.com/2022/01/28/the-cost-of-child-care-in-the-us-is-rising/>.

payments are a system created to provide support for workers who have lost their job through no fault of their own to help cover costs while they find a new position, minimum basic payments should provide a safety net for workers to survive. However, most states' UI payments cover less than 20 percent of the most basic costs of living, undermining the intent of UI and leaving workers and working families without support.

Table 3: Ranking and Scores for Wage Dimension, September 2022

State	Wage Dimension Ranking	Wage Dimension Score	State	Wage Dimension Ranking	Wage Dimension Score
Washington	1	89.57	Delaware	27	40.24
District of Columbia	2	76.63	Puerto Rico	28	38.87
Connecticut	3	72.61	Michigan	29	38.02
Colorado	4	70.95	Florida	30	37.38
California	5	70.14	West Virginia	31	34.84
Oregon	6	69.93	Nebraska	32	28.20
Arizona	7	69.72	Wyoming	33	21.91
Massachusetts	8	69.02	New Hampshire	34	20.93
Maine	9	67.06	North Dakota	35	18.63
New York	10	67.02	Wisconsin	36	17.92
New Mexico	11	66.20	Iowa	37	17.57
New Jersey	12	65.04	Pennsylvania	38	13.76
Illinois	13	63.17	Kentucky	39	12.74
South Dakota	14	60.78	Texas	40	12.24
Maryland	15	60.74	Idaho	41	11.94
Vermont	16	60.58	Tennessee	42	9.87
Nevada	17	60.27	Utah	43	8.82
Alaska	18	58.10	Louisiana	44	8.48
Minnesota	19	53.69	Oklahoma	45	8.45
Rhode Island	20	51.65	Georgia	46	8.39
Montana	21	49.84	Alabama	47	6.40
Missouri	22	45.25	Indiana	48	5.58
Hawaii	23	44.75	Mississippi	49	5.27
Arkansas	24	44.56	Kansas	50	4.53
Virginia	25	40.71	North Carolina	51	4.09
Ohio	26	40.44	South Carolina	52	2.11

At the top of the wage dimension rankings is Washington, with a score of 89.57, followed by the District of Columbia (76.63), Connecticut (72.61), Colorado (70.95), and California (70.14). Of those states in the top five, all five raised their wages in 2022, two are one fair wage states (Washington and California) and all have higher than average UI payments, though with much room still for improvement.

On the opposite side of the rankings, the states at the bottom of the wage dimension are South Carolina, with a score of 2.11, followed by North Carolina (4.09), Kansas (4.53), Mississippi (5.27), and Indiana (5.58). Like in the overall index ranking, the states at the bottom of the wage dimension ranking are predominantly in the South, where wages remain stuck at the federal minimum, UI benefits are notably low, and states have passed legislation that allows governors to overturn higher wages at the local level.

DIMENSION 2: WORKER PROTECTIONS – 35 PERCENT OF OVERALL SCORE

This dimension focuses specifically on policies that support workers’ and working families’ real-life needs inside and outside the workplace. These laws are especially important to women, parents, and caretakers as they seek to balance the demands of work and family. The policies tracked in this dimension help answer questions on whether workers will be able to care for themselves or a loved one without losing their jobs. These policies capture whether a worker can rely on a steady and predictable schedule, allowing them to plan for things like school runs for children.

With the need for greater protections and support in mind, the policies we track for BSWI include:

- Pregnancy accommodations and protections for breastfeeding workers in the private sector
- Equal pay mandate
- Paid family and medical leave
- Fair scheduling
- Protection against sexual harassment
- Extension of workers’ compensation to farmworkers
- Protections for domestic workers
- Heat standards for outdoor workers

Table 4: Ranking and Scores of Worker Protection Dimension, September 2022

State	Worker Protection Dimension Ranking	Worker Protection Dimension Score	State	Worker Protection Dimension Ranking	Worker Protection Dimension Score
Oregon	1	96.43	South Carolina	25	33.33
California	2	92.86	Tennessee	25	33.33
New York	3	78.57	Michigan	29	30.95
Washington	3	78.57	Utah	30	29.76
Connecticut	5	75.00	West Virginia	30	29.76
Massachusetts	5	75.00	Arkansas	32	26.19
New Jersey	5	75.00	Idaho	32	26.19
District of Columbia	8	70.24	Indiana	32	26.19
Puerto Rico	9	67.86	North Dakota	32	26.19
Colorado	10	64.29	Ohio	32	26.19
Hawaii	11	57.14	Alaska	37	22.62
Rhode Island	11	57.14	Florida	37	22.62
Vermont	11	57.14	Iowa	37	22.62
New Mexico	14	54.76	Montana	37	22.62
Illinois	15	53.57	Oklahoma	37	22.62
Maine	15	53.57	Pennsylvania	37	22.62
Maryland	15	53.57	South Dakota	37	22.62
Nevada	15	53.57	Wisconsin	37	22.62
Virginia	19	48.81	Kansas	45	19.05
Delaware	20	42.86	Missouri	45	19.05
Minnesota	21	41.67	Texas	45	19.05
Nebraska	21	41.67	Wyoming	45	19.05
New Hampshire	23	38.10	Alabama	49	14.29
Louisiana	24	34.52	Georgia	50	11.90
Arizona	25	33.33	North Carolina	51	8.33
Kentucky	25	33.33	Mississippi	52	0.00

Just like last year, Oregon ranks first with an overall score of 96.43, followed by California (92.86), and Washington and New York tied in third (78.57). Connecticut, Massachusetts, and New Jersey tie in fifth place with a score of 75.

Oregon, Washington, and California are the only states with a heat standard to protect all outdoor workers, pushing them toward the top of the index. Oregon has a near perfect score in worker protections, only missing slightly on paid family leave. The state has voted the policy in, but it does not take effect until January 1, 2023, giving Oregon only partial credit in our ranking. California is very close to the top spot but is still missing flexible scheduling and advance shift notice.

On the bottom of this dimension's rankings, as in the previous four years, Mississippi is dead last with zero points. North Carolina comes second to last, with a score of 8.33, followed by Georgia (11.90), Alabama (14.29), and in a four-way tie follow Kansas, Missouri, Texas, and Wyoming with a score of 19.05.

Mississippi is the only state in the country to have enacted none of the policies we track in the worker protection dimension. And while in April 2022 Mississippi passed what they framed as an “equal pay” law (the first in the state), our index does not give them credit for a piece of legislation that is less protective than the federal standard, and in fact subverts the rights of people under the federal equal pay standard. More specifically, “The Mississippi Act also contains an unusual provision requiring that employees must waive their right to a federal claim in order to be eligible to bring a claim under the state law.”³¹ This new equal pay law, nominal at best, does not provide any true protections or mandates, and indeed creates legal loopholes for continued pay discrimination—including on the basis of sex—based on perceived or asserted length of service or work experience. Thus, not only does Mississippi still lack a true equal pay mandate, but it has also undermined federal equal pay protections.

DIMENSION 3: RIGHTS TO ORGANIZE – 25 PERCENT OF OVERALL SCORE

This has been a historic year for union organizing in the United States. Petitions to form a union with the National Labor Relations Board (NLRB) went up more than 50 percent compared to the year before, and public approval of unions is at the highest it has been since the mid-1960s.³² The increased movement to build worker power continues to draw strength from consistent success stories across coffee shops, warehouses, and even tech companies. The importance of unionization and worker organizing cannot be overstated. When workers act collectively, they have more power. Historically, unions have played a crucial role in supporting workers in the US: they protect rights to speak out about problems, bargain for higher wages, and push for stronger protections.

As such, Oxfam continues to emphasize rights to organize in the BSWI, and to advocate for the need for more and stronger support of building worker power. This dimension therefore tracks laws that help or discourage workers from acting together. When a state has a so-called “right-to-work” law, it is much more difficult for unions to organize and to thrive, since states with these laws prohibit unions from collecting dues from people who benefit from their activities.

Beyond recognizing states that protect the power of unions, this dimension also measures how states approach the organization of public workers or of individuals employed by or funded by the state itself.

The policies tracked in this dimension include:

- “Right-to-work” laws
- Right to organize for public school teachers
- Project labor agreements (PLAs): agreements that contracts for public construction projects go exclusively to unionized firms
- Protection against retaliation
- Protection for collective bargaining

Table 5: Ranking and Scores of Right to Organize Dimension, September 2022					
State	Right to Organize Dimension Rank	Right to Organize Dimension Score	State	Right to Organize Dimension Rank	Right to Organize Dimension Score
California	1	100	Indiana	26	60
District of Columbia	1	100	Montana	26	60
New York	1	100	Alaska	29	50
Oregon	1	100	Arizona	29	50
Illinois	5	95	Missouri	29	50
Ohio	5	95	Iowa	32	40
Massachusetts	7	90	Kansas	32	40
Minnesota	7	90	Kentucky	32	40
New Jersey	7	90	Michigan	32	40
Vermont	7	90	South Dakota	32	40
Connecticut	11	80	Wisconsin	32	40
Delaware	11	80	Wyoming	32	40
Hawaii	11	80	Idaho	39	30
Maine	11	80	Louisiana	39	30
Maryland	11	80	North Dakota	39	30
New Hampshire	11	80	Oklahoma	39	30
New Mexico	11	80	Tennessee	39	30
Pennsylvania	11	80	Mississippi	44	20
Puerto Rico	11	80	Utah	44	20
Rhode Island	11	80	West Virginia	44	20
Washington	11	80	Alabama	47	10
Colorado	22	70	Arkansas	47	10
Nebraska	22	70	Georgia	49	0
Nevada	22	70	North Carolina	49	0
Virginia	25	65	South Carolina	49	0
Florida	26	60	Texas	49	0

Four states tie for first place in the rights to organize dimension with a perfect score of 100: California, the District of Columbia, New York, and Oregon. At the bottom, with scores of zero, Georgia, North Carolina, and South Carolina have no support for worker organizing, whether by public or private employees. As in previous editions of our Best States to Work Index, the South still stands out as the region of the country with the fewest protections for workers’ rights to organize.

CORRELATIONS

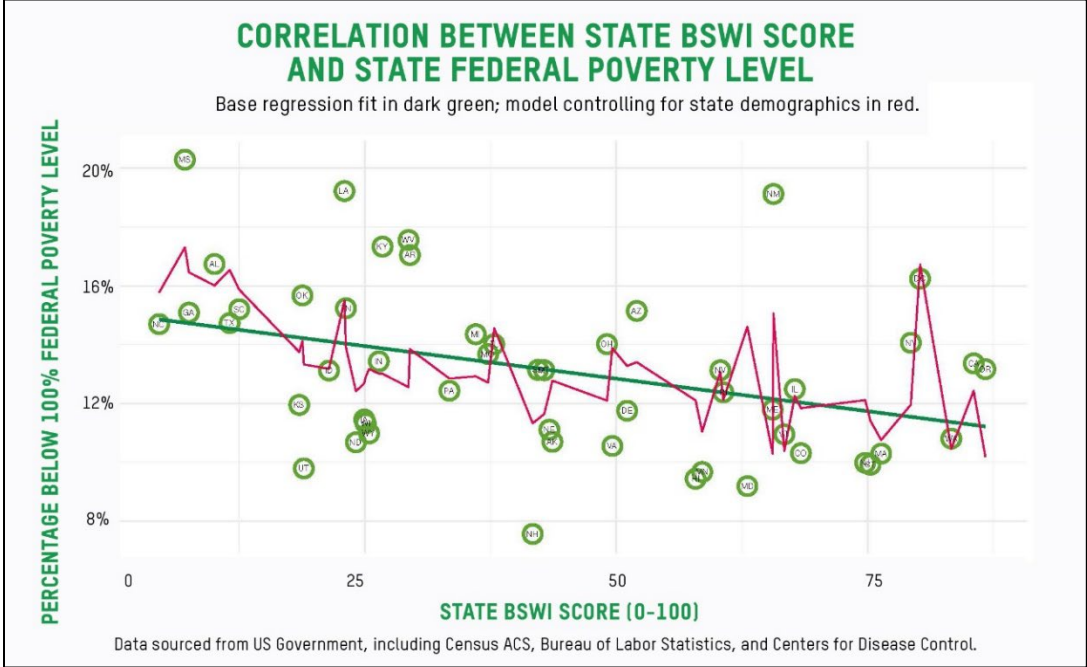
MEASURING CORRELATIONS BETWEEN BSWI STATE SCORES AND INDICATORS OF WELL-BEING

In past editions of the BSWI, we tracked how index rankings correlated with measures of well-being at the state level to better understand the true impact of policies in support of workers and working families. This year we once again compared state rankings to measures of well-being.

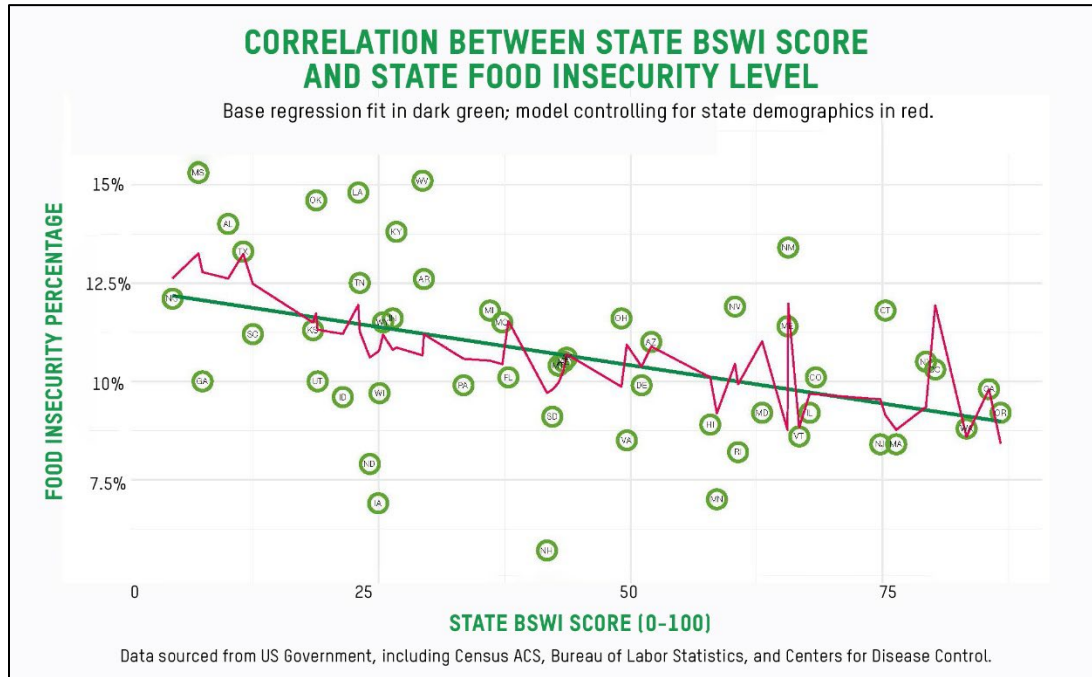
The measures of well-being we focused on to compare with our BSWI rankings are: percent of state population below the federal poverty level, rate of food insecurity, and rate of infant mortality. Across all three measures of well-being, there is a very strong correlation with BSWI state scores. To assess the strength of the relationship between the well-being indicators and BSWI state scores, we ran a total of three models: (1) a **base model** containing only the dependent and independent variable (BSWI score); (2) a **controlled model** which included state demographics and federal spending as a proportion of GDP to attempt to isolate the worker policy environment from state latent characteristics; and (3) a **robustness check model** which further incorporated fixed effects based on Bureau of Economic Activity (BEA) region to isolate any regional component of variation.

In the case of all three measures of well-being (federal poverty levels, food insecurity, and infant mortality) there were persistent relationships between the well-being measure and the BSWI score, demonstrating strong correlations.

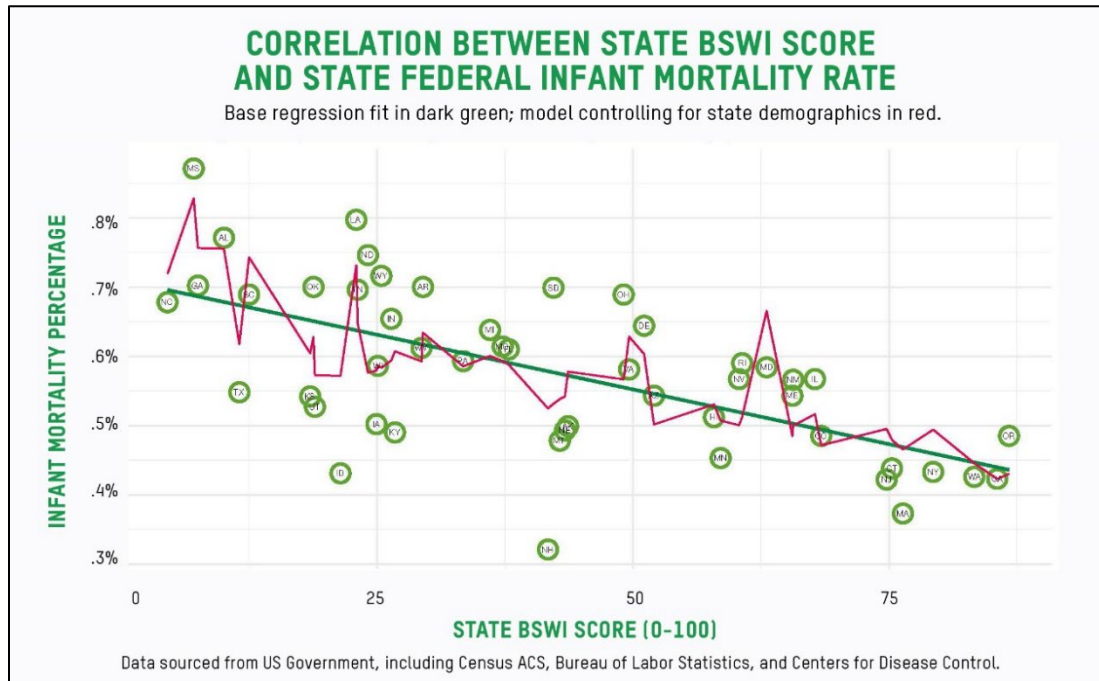
In the case of federal poverty levels at the state level, the correlation reveals that for every 10-point increase in BSWI scores, states' federal poverty rate drops by .4 percentage points.



In the case of food insecurity, every 10-point increase in BSWI score correlates to a .4 percentage point drop in percent of the state population experiencing food instability.



Finally, for infant mortality, every 10-point increase in BSWI score correlates to a .3 percentage point drop in the rate of infant mortality.



Though the differentiation of .3 or .4 percentage points may seem low, the impact is quite large. The difference in scores across our index (a range of more than 80 points between the best and worst state) can mean up to a 3.2 percentage point reduction between the worst and the best

state on measure of food instability and poverty levels. Put more simply, that's a near 30 percent reduction in the number of people experiencing food insecurity or poverty in our highest-ranking state when compared to our lowest-ranking state.

All three of the correlations are predicated on score increases by factors of 10, meaning states like Oregon and California, which score in the upper 80s, are making multiple strides to improving their residents' well-being. On the other hand, however, are states like North Carolina, Georgia, and Mississippi, whose cumulative score in BSWI is below 10 points. In no measure of well-being are those states making any strides toward greater health and stability based on all the many policies tracked in BSWI.

The importance of these correlations is how they demonstrate that a strong performance in the BSWI indicates more than supporting workers within the workplace. The policies tracked across BSWI create a holistic picture of the investments states hold in the well-being of their residents. The more policies states have in support of wages, worker protections, and rights to organize—and thus the higher the state ranks in our BSWI—equates to the fewer people in the state experiencing hunger or poverty or the loss of children.

The goal of comparing BSWI rankings to measures of well-being is not only to demonstrate to policymakers the tangible impact of these policies in labor spaces, but also the impact of the many policies captured in BSWI in terms of peoples' health. These correlations are simply greater proof that poverty and certain health disparities are the result of policy choices for which there are many solutions.

POLICY RECOMMENDATIONS

The Best States to Work Index offers opportunities at both the federal and the state levels for policymakers to proactively improve the lives and realities of workers and working families. There is no state with a perfect score, and even among those states ranking well, there continues to be room for improvement. Oxfam celebrates where progress has been made and hopes this resource can help push for continued progress at the state and federal levels. No policy tracked in the BSWI has a federal mandate, so all present an opportunity for the federal and state governments to step up and adopt new policies across all three dimensions captured in the index.

WAGES

Both at the state and the federal levels, Oxfam calls on policymakers to RAISE THE WAGE. At both levels, subminimum tipped wages should be abolished, minimum wage exclusions of certain workers must end, and the minimum wage needs to be lifted.

- At the federal level, there is a piece of legislation ready to implement all these policies: the [Raise the Wage Act](#). It would raise the federal minimum wage to \$15 by 2025; begin automatic, indexed wage increases in 2025; and gradually eliminate subminimum wages for tipped workers, disabled workers, and youth.
 - While the federal government lags in raising the minimum wage, **states have the power to raise their own**. And what's more, nine states have passed legislation to index automatic minimum wage increases to inflation at the start of each new year: Alaska, Arizona, Colorado, Maine, Minnesota, Montana, Ohio, South Dakota, and Washington.³³ More states should adopt the same policy.
 - [Washington's](#) minimum wage, while still inadequate to support a family, is a good model for states to consider, as it 1) has the highest ratio of wage-to-cost-of-living; 2) ties automatic annual wage increases to the level of inflation; and 3) allows localities to set a higher wage than the state standard. However, Washington fails to fully extend minimum wage protections to farmworkers.
- Given the extreme cost of care for children, the elderly, and people with disabilities in the United States, and the burden these costs place on already insufficient wages, there is a serious need for federal investment in the care economy. The [American Jobs Plan](#), which creates caregiving jobs and expands home- and community-based care services, including long-term care services for the elderly and people with disabilities, is a good place to start. There are bills before Congress that could help address the financial burden of caregiving, while raising wages for child care workers:
 - The [Child Care for Working Families Act](#) would provide low- and middle-income families with affordable child care (ensuring no family receiving

assistance pays more than 7 percent of its household income on child care) and guarantee child care workers a living wage.

- The [Universal Child Care and Early Learning Act](#) calls for \$700 billion to establish a universal child care system, while also investing in child care workers.

WORKER PROTECTIONS

There is a great need for stronger worker protections at the state and federal levels, including paid family and medical leave, stronger equal pay laws, pregnancy accommodations, and protections for domestic workers.^f Happily, there are already bills available for the federal government to adopt and improve the worker protection landscape for all workers in the US. And some states are moving to strengthen worker protections on their own.

Paid Leave: Congress should provide paid sick and family leave for *all* workers. There are several bills Congress can pass to establish federal paid leave standards, including:

- The [FAMILY Act](#), which provides up to 12 weeks of paid family and medical leave for reasons ranging from medical issues to childbirth, or to support care responsibilities.
- The [Healthy Families Act](#), which guarantees up to seven paid sick days a year for short-term illness, preventive care, caring for a sick family member, or seeking assistance related to domestic violence, sexual assault, or stalking.
- The [Building an Economy for Families Act](#), which provides paid family and medical leave while permanently extending the American Rescue Plan’s Child Tax Credit (CTC).
- **States have started to fill the gap** by extending paid sick and family leave. [Oregon’s paid leave policy](#) is comprehensive, covering private, public, and part-time employees, and extending “safe leave” coverage for survivors of sexual assaults, domestic violence, harassment, or stalking.

Equal Pay: The [Paycheck Fairness Act](#) aims to close the gender wage gap by strengthening the Equal Pay Act, including limiting employers’ reliance on an applicant’s salary history, protecting workers from retaliation for discussing their wages, and requiring employers to prove that pay disparities are not solely related to gender.

- **States can strengthen equal pay laws**, too, by mandating equal pay across both the private and public sectors, and restricting pay secrecy practices and salary history requirements in the private sector. [New York](#) and [New Jersey](#)’s equal pay laws include a comprehensive list of protected classes (including gender identity or expression, sexual orientation, age, disability, and, in New York’s case, even domestic violence victim status).

Pregnancy Accommodations: The [Pregnant Workers Fairness Act](#) would prohibit discrimination for “qualified employees affected by pregnancy, childbirth, or related medical conditions” and require reasonable accommodations. [Thirty states and five localities](#) have

^f There are many additional, urgently needed worker protections, including strengthened protections against discrimination and harassment, protections against wage theft, and protections against unfair scheduling practices. Congress should pass—and states can follow the model of—the [BE HEARD in the Workplace Act](#), the [Schedules That Work Act](#), and the [Part-Time Worker Bill of Rights Act](#), to start.

implemented protections for pregnant workers. Congress should also pass the [PUMP for Nursing Mothers Act](#), which expands workplace breastfeeding protections.

Protections for Domestic Workers: The [Domestic Workers Bill of Rights](#) extends pay and leave rights to domestic workers while mandating health and safety precautions, including language around fair and fixed scheduling. [Ten states and two major cities](#) have already passed their own domestic workers bill of rights.

Heat Protection Standards: As temperatures and heat-related worker deaths continue to climb, a set of federal protections all workers is essential. OSHA intends to issue a new regulation protecting indoor and outdoor workers from heat, but the rulemaking process takes time, and future administrations can change these rules.

- While we wait for a federal standard, **states can implement their own** heat-related worker protections. In fact, Oregon, Washington, California, Colorado, and Minnesota have issued their own heat standards. Other states should follow suit, and all should include protections for both outdoor and indoor workers.

RIGHTS TO ORGANIZE

The federal government must enshrine the rights of workers to build power collectively. At the state level, the prevalence of “right-to-work” laws demonstrates the systematic approach to undermining worker power and the clear need for the federal government to protect workers’ rights to organize. To that end, the federal government has one crucial piece of legislation to pass:

- The [Protecting Rights to Organize \(‘PRO’\) Act](#), a bill that expands the protections around workers’ rights to bargain and organize as a collective.

States, meanwhile, can support rights to organize, including by:

- Repealing “right-to-work” laws. Missouri voters [rejected](#) its “right-to-work” law in 2018.
- Protecting the rights of state and local employees, including public school teachers, to collectively bargain. [Colorado](#) and [Nevada](#) are good examples.
- Extending organizing rights to workers excluded by federal protections, including agricultural workers (like [California](#) has done) and domestic workers, as well as contractors and gig workers.

SOURCES AND METHODOLOGY

APPENDIX 1: METRIC DESCRIPTIONS AND POINT ALLOTMENT FOR THE BEST STATES TO WORK INDEX

We allocated points across the three dimensions in the following manner:

WAGE DIMENSION (40 PERCENT OF TOTAL)

Wage Ratio (15 percent): Created by determining the ratio of the state minimum wage to the MIT Living Wage, calculated for a household of two adults (one working) and two children. In cases where minimum wage varies by corporate size, the lower value is taken, whereas in cases where there is a secondary minimum wage for when employers provide health insurance, the higher value is taken. The final ratios are normalized between 0 and 100 for use in the index.

Tipped Wage Ratio (5 percent): Created by determining the ratio of the state minimum tipped wage to the state minimum wage. In cases where the tipped wage varies, the one representing more workers is used (e.g., higher cash wages for bartenders vs. all other workers are ignored). The final ratios are normalized between 0 and 1.

Local Control of Minimum Wage (5 percent): States receive a 1 if they have not *proactively* restricted the capacity for localities to impose higher minimum wages through preemption law. This is in contrast to the 2019 definition, which looked at passive restriction due to the implicit preemption of state constitutions.

Minimum Wage for Farmworkers (5 percent): States receive a 1 if agricultural workers are entitled to the same minimum wage as all other workers, and a 0.5 if they generally receive the same wage with some exceptions in the law. States with mandated lower minimum wages or no minimum wage receive a 0.

Unemployment Payments (10 percent): Created by determining the ratio of the average state unemployment insurance (UI) payments for full-time minimum wage workers to the MIT Living Wage, calculated for a household of four with two adults (one working) and two children. The final ratios are normalized between 0 and 100 for use in the index.

WORKER PROTECTIONS (35 PERCENT OF TOTAL)

Pregnancy Accommodation and Right to Pump (5 percent): For broader pregnancy accommodations, a state receives a 1 if it has mandated *private* employers provide some accommodation, either on request or by default, to pregnant workers (recommendations or opt-

in programs are given a 0). For right to pump, similarly the state mandates accommodations for *private* workers to express breastmilk, or other language implying a right to pump, within their workplace (schools and public spaces not being sufficient for credit).

Equal Pay (5 percent): For basic equal pay, the state receives a 1 if it has mandated equal pay across private and public sectors. For pay secrecy, the state receives a 1 if it has specific legislation restricting pay secrecy practices in the *private* sector. For salary history, the state receives a 1 if it has restricted *private* sector salary history requirements.

Paid Leave (5 percent): Our “paid leave” data point covers both paid sick and family leave. For paid family leave, a state receives a 1 if it has passed and implemented paid family leave across the state, and a 0.5 if legislation has passed but not yet gone into effect. This must apply for employers with 15 or more employees. For paid sick leave, a state receives a 1 if it has passed and implemented paid sick leave across the state, and a 0.5 if legislation has passed but not yet gone into effect. This differs from the 2019 index in that laws passed but not yet implemented are given partial credit.

Scheduling (5 percent): A state receives a 1 in each of the four scheduling categories (flexible scheduling, reporting pay, split shift pay, and advanced shift notice) if it has implemented a statewide policy (private and public sectors) on the subject in question. This differs from the 2019 index in that states where city-specific scheduling laws might have applied to the majority of the state’s population are no longer considered valid.

Sexual Harassment Protections (5 percent): The state receives a 1 if it has laws or legal precedent utilizing fair employment legislation explicitly regarding sexual harassment and its restriction in the workplace.

Protections for Excluded Workers (5 percent): Workers’ compensation for farmworkers: a state receives full credit (1) if agricultural workers are fully covered by workers’ compensation in the state, and partial credit (0.5) if they either are partially covered or covered with exemptions. Domestic workers’ rights and protections: the state receives full credit (1) for implementing a policy that strikes the exclusion of domestic workers. Policies tracked by the National Domestic Workers Alliance include: overtime pay, paid sick days, workplace harassment and discrimination, safety and health, meal and rest breaks, protections for live-in workers, and privacy. If states have no worker policies that explicitly include domestic workers they receive no credit.

Heat Safety Standard (5 percent): A state receives full credit (1) for implementing a heat safety standard to protect outdoor workers.

RIGHTS TO ORGANIZE (25 PERCENT OF TOTAL)

Right-to-Work Law (5 percent): A state receives a 0 if it has passed a “Right-to-Work” law, and a 1 if it has not.

Right to Organize for Teachers (5 percent): For collective bargaining, states receive a 1 if they generally give the right (but not necessarily mandate) for teachers to collectively bargain. In wage negotiation, states must mandate schools participate in collective negotiation procedures to receive a 1.

Project Labor Agreements (5 percent): A state receives a 0 if it has passed a project labor agreement preemption law, and a 1 if it has not.

Protection Against Retaliation (5 percent): States receive credit for legislation that protects workers against employer retaliation, specifically relating to wages. They can score 0, .5, .75, or 1. Based on the framework created by the National Employment Law Project (NELP), we gave a full point to states whose legislation provides workers with back pay, monetary damages, recovered attorney fees, and the right to bring complaints to government agencies and to court, with the potential for government-imposed fines on violators. We gave .75 points to states whose legislation includes all the above with the exception of government-imposed fines. States awarded .5 points have not legislated government-imposed fines and do not provide easy means for workers to complain to government agencies in order to recover damages; these states do allow for back pay, court cases against employers, recovered attorney fees, and court-mandated damages against employers. States receive no points if they have only legislated criminal penalties (and not civil) for employers who retaliate against employees who bring complaints of wage theft.

Collective Bargaining (5 percent): States receive a 1 if collective bargaining is required, and a 0.5 if allowed within the state.

APPENDIX 2: EXPLANATION OF COMPOSITE SCORE CALCULATION

• Wage Dimension (40 percent total)

- 15 percent Ratio of Minimum Wage to Cost of Living
- 5 percent Ratio of Tipped Cash Wage to Minimum Wage
- 5 percent Local Control of Minimum Wage
- 5 percent Minimum Wage Extension to Farmworkers
- 10 percent Ratio of Unemployment to Cost of Living

• Worker Protection Dimension (35 percent total)

- 5 percent Pregnancy Accommodation
 - Private Sector Accommodation
 - Private Sector Right to Pump
- 5 percent Equal Pay
 - Basic Equal Pay
 - No Pay Secrecy
 - No Private Sector Salary History
- 5 percent Paid Leave
 - Paid Family Leave
 - Paid Sick Leave
- 5 percent Scheduling
 - Flexible Scheduling
 - Reporting Pay
 - Split Shift Pay
 - Advance Shift Notice
- 5 percent Sexual Harassment Protections
- 5 percent Protections for Excluded Workers

- Extension of Workers' Compensation to Farmworkers
- Domestic Worker Rights and Protections
- 5 percent Heat Standard

- **Right to Organize Dimension (25 percent total)**

- 5 percent Right-to-Work Law
- 5 percent Right to Organize for Teachers
- 5 percent Project Labor Agreements
- 5 percent Protection Against Retaliation
- 5 percent Collective Bargaining

APPENDIX 3: CORRELATION CALCULATION METHODOLOGY

The authors recognize that the wage policies and worker protections passed in a given state are likely endogenous to many socioeconomic indicators that may be used in defining worker welfare. However, we believe a purely correlational exercise may still be of intrinsic value, particularly in generating suggestive evidence that may warrant further exploration by other researchers. With this limited scope in mind, we ran a simple OLS (ordinary least squares) regression across several socioeconomic metrics chosen to represent the experience of low-wage workers in several spheres of welfare. This included metrics for median household income and poverty rate as defined by the Federal Poverty Level (FPL), but also metrics on infant mortality, food insecurity, and union participation.

To assess the robustness of the relationship between the indicators and BSWI 2022 state scores, we ran a total of three models: (1) a **base model** containing only the dependent and independent variable (BSWI score); (2) a **controlled model** which included state demographics and federal spending as a proportion of GDP to attempt to isolate the worker policy environment from state latent characteristics; and (3) a **robustness check model** which further incorporated fixed effects based on Bureau of Economic Activity (BEA) region to isolate any regional component of variation. Apart from median household income, all relationships highlighted above remain significant and of similar magnitude in the robustness check model, giving more suggestive evidence for further research in this policy area.

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³³ Jacquinot, Landon. "State Minimum Wages." *National Conference of State Legislatures*, March 9, 2022. <https://www.ncsl.org/research/labor-and-employment/state-minimum-wage-chart.aspx>.

COVER: While all workers in the US face extraordinary challenges in 2022, certain populations bear disproportionate burdens, especially as the pandemic grinds on and climate change exacerbates risk. Outdoor workers (such as farmworkers, most of whom are immigrants) endure increasingly dangerous weather extremes. Women in many states have recently lost reproductive rights, at the same time that they have no supports for at work for maternity leave, or accommodations for pregnancy or breastfeeding. This edition includes a new data point for the heat standard; and a separate index for working women. *Photo: Tim Mossholder on Unsplash*



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