

A Closer Look at Novel U.S. Employment Policies at the County and Municipal Level

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Introduction

In an evolving labor market increasingly characterized by part-time and contractual “gig” work, the quality of employment in the United States has decreased, particularly for low-wage workers.¹ While the impact of minimum wage laws on workers’ health has been well-studied,^{2,3} our understanding of the effect of broader employment policies is more limited.⁴ Broader employment policies, including secure scheduling, paid family and sick leave, as well as “gig” worker and collective bargaining protections, hold significant potential for improving health by providing stronger job stability and sufficient income for employees.

Local jurisdictions, such as counties and municipalities, have led the way in enacting broader employment policies due to federal inaction on these issues. For example, the federal minimum wage (\$7.25 per hour) was last amended in 2007.⁵ Home rule allows for greater local self-governance; thus, local policymaking efforts can be leveraged to implement more progressive employment policies which have the potential to improve the health of the public through several mechanisms including increasing housing stability and reducing food insecurity. This pilot study aimed to 1) establish a baseline of county and municipal policymaking on employment quality in 10 counties and 10 municipalities and 2) detail changes in these policies over the past 7 years, between 2017 and 2023. This brief serves as a first step in understanding the extent to which novel employment policies may contribute to better health of the public, particularly low-wage workers.

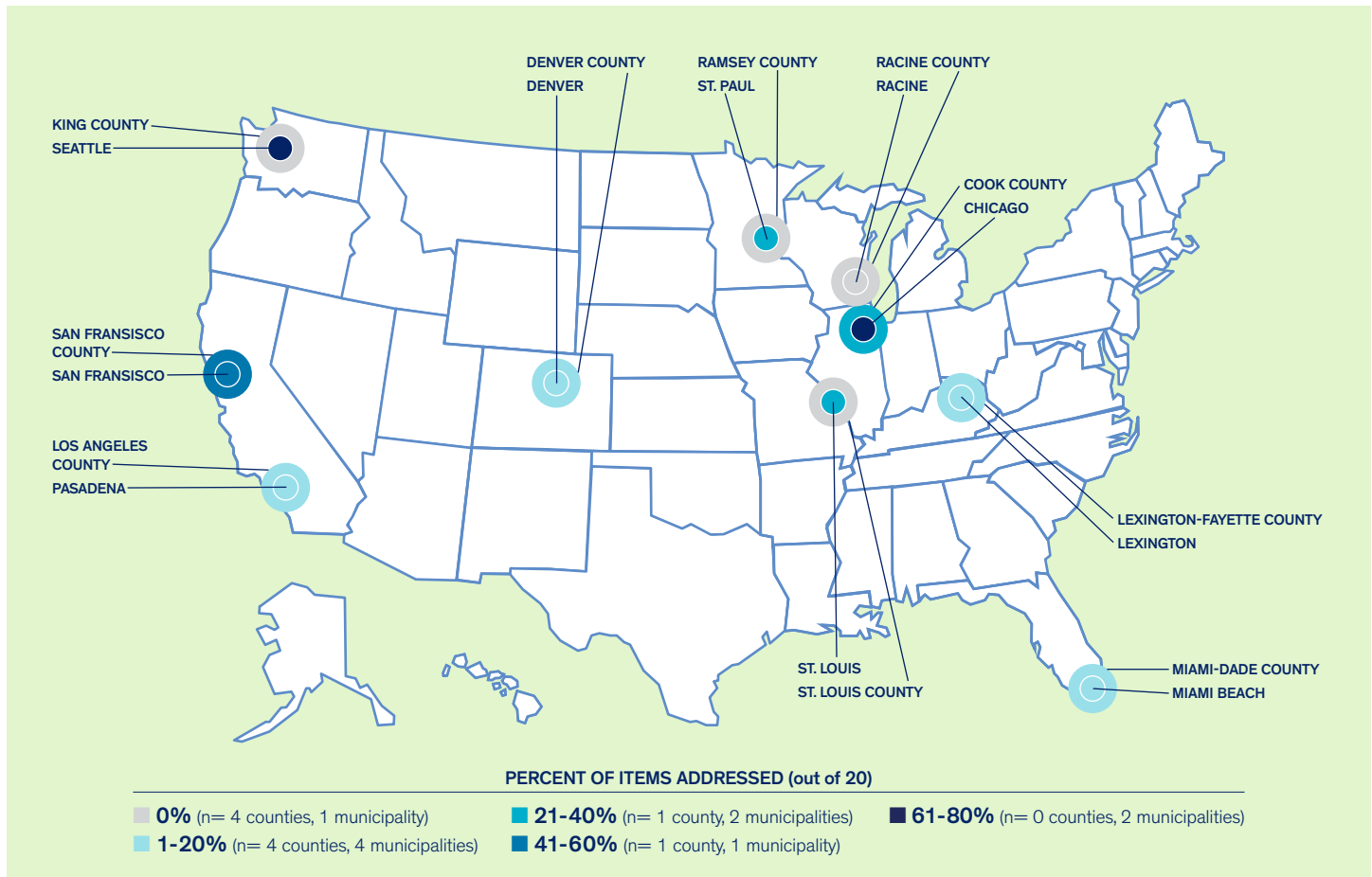
TABLE 1 Policy Topic Areas Collected and Scored	
TOPIC INDICATORS (N=20)	
Hourly minimum wages	
Posting minimum wage requirements in the workplace	
Advance notice of schedule (and enforcement)	
Schedule changes (and enforcement)	
Rest period between shifts (and enforcement)	
Sick leave	
Family leave	
Combined sick and family leave	
Paid time-off	
Application of leave policies to part-time workers	
Friendly to collective bargaining	
Minimum wages for “gig” workers	
Paid sick leave for “gig” workers	
Healthcare benefits for “gig” workers	
Retirement benefits for “gig” workers	
Other “gig” worker protections	
Accommodations for lactation (breaks/private spaces)	

Methods

We selected 10 counties and 10 municipalities within those counties for inclusion based on recent action or inaction on the minimum wage; action on the minimum wage often precedes other policy initiatives for greater worker protections. We first developed a policy coding tool with 20 indicators derived from an evaluation of best practices and the evidence-base related to quality employment, as well as trending progressive policy topic areas (see Table 1).

County and municipal policies (e.g. codes and ordinances) for 2017, 2019, 2021, and 2023 (as of July 1) were collected using table of contents searches from American Legal Publishing⁶ or MuniCode,⁷ based on the jurisdictions’ chosen primary publisher. Policies were scored using an ordinal coding scheme whereby a score of 0 represented no policy, 1 represented a weak policy, and 2 or higher represented a strong or required policy for each of the 20 indicators noted above. Each county and municipal policy was read and scored by two coders who reached 90% agreement overall and proceeded with consensus coding. Overall summary scores were created by totaling the ordinal values from the 20 indicators with potential scores ranging from 0 to 38. We present descriptive information on the policy scores by county/municipality and year, and average scores across counties and municipalities by year.

FIGURE 1 Percent of Employment Policies Addressed in Each County and Municipality, as of July 1, 2023



Results

Figure 1 illustrates the percentage of topics addressed within each county and municipality as of July 1, 2023, with **Tables 2 and 3** providing details regarding specific items addressed in each jurisdiction. Overall, municipalities were more likely than counties to adopt novel policies for each identified topic. However, in some instances, counties and municipalities frequently adopted similar, if not identical, policies. Policies that stretched above the federal minimum wage were identified most often (5 counties, 9 municipalities), with posting requirements related to minimum wage addressed next (4 counties, 7 municipalities). Secure scheduling practices related to advance notice of schedule and schedule changes were seen only in Chicago, San Francisco, and Seattle. Family leave was addressed (3 counties, 6 municipalities) more often than sick leave (2 counties, 4 municipalities). Seattle was the outlier in addressing “gig” worker protections, specifically relating to minimum wage, with additional protections planned in coming years. Overall policy scores by county and year are detailed in **Table 4**. The average county-level policy score was

3.9 (SD=6.4) in 2017 compared to 5.1 (SD=7.4) in 2023. Between 2017 and 2023, San Francisco County consistently had the highest policy scores (20 in 2017 and 24 in 2023), indicative of the most progressive worker protections, followed by Cook County (9), Los Angeles County (4-10), Denver County (0-7), and Lexington-Fayette and Miami-Dade counties (3). Although Los Angeles’ scores were relatively high over the observation period, they decreased after the expiration of certain COVID-related policies (e.g. sick time, “gig” worker protections). The remaining four counties evaluated had no progressive worker protections in any observation year.

The average municipal-level policy score was 6.8 (SD=7.4) in 2017 compared to 10.2 (SD=8.4) in 2023. Consistent with county-level trends, from 2017 to 2023, San Francisco had the highest policy scores (20-24) each year. Seattle (19-23), Chicago (9-17), St. Louis (7-9), and St. Paul (5-10) also had consistently strong worker protections between 2017 and 2023. We observed higher policy scores in all municipalities except Lexington and Racine in 2023 compared to 2017.

TABLE 2: Number of Counties with Key Policies as of July 1, 2023

STATE	COUNTY	LIVING WAGE*	MINIMUM WAGE	ADVANCE NOTICE OF SCHEDULE	SICK LEAVE (PAID/ UNPAID)	FMLA/FLEX TIME (PAID/ UNPAID)	FRIENDLY TO COLLECTIVE BARGAINING	"GIG" WORKER PROTECTION
CA	Los Angeles	\$26.63	\$16.90				✓	
CA	San Francisco**	\$28.74	\$18.07	✓	\$	\$	✓	
DO	Denver**	\$25.62	\$17.29				✓	
FL	Miami-Dade	\$24.26	No policy			\$		
IL	Cook	\$23.69	\$13.70		\$	\$	✓	
KY	Lexington-Fayette	\$19.39	\$10.10					
MN	Ramsey	\$21.00	No policy					
MO	St. Louis	\$21.48	No policy					
WI	Racine	\$19.85	No policy					
WA	King	\$30.08	No policy					
TOTALS				1	2	3	4	0

blank= not applicable or not addressed in policy; \$=paid; \$=unpaid

*living wage data is not in policy, but is available from: <https://livingwage.mit.edu/counties/06037>

**indicates consolidated county and municipal government wherein policies are identical at both levels

TABLE 3: Number of Municipalities with Key Policies as of July 1, 2023

COUNTY	MUNICIPALITY	LIVING WAGE*	MINIMUM WAGE	ADVANCE NOTICE OF SCHEDULE	SICK LEAVE (PAID/ UNPAID)	FMLA/FLEX TIME (PAID/ UNPAID)	FRIENDLY TO COLLECTIVE BARGAINING	"GIG" WORKER PROTECTION
Los Angeles	Pasadena	No data	\$16.93				✓	
San Francisco**	San Francisco**	\$29.87	\$18.07	✓	\$	\$	✓	
Denver**	Denver**	\$26.47	\$17.29				✓	
Miami-Dade	Miami Beach	\$23.99	\$12.31					
Cook	Chicago	\$24.16	\$15.80	✓	\$	\$	✓	
Lexington-Fayette	Lexington	\$19.39	\$10.10					
Ramsey	St. Paul	\$22.49	\$15.19		\$	\$	✓	
St. Louis	St. Louis	\$19.11	\$12.00			\$	✓	Tip transparency
Racine	Racine	\$19.85	No policy					
King	Seattle	\$28.70	\$19.97	✓	\$	\$	✓	Minimum wage, tip transparency
TOTALS				3	4	5	7	2

blank= not applicable or not addressed in policy; \$=paid; \$=unpaid

*living wage data is not in policy, but is available from: <https://livingwage.mit.edu/counties/06037>

**indicates consolidated county and municipal government wherein policies are identical at both levels

TABLE 4 Employment Policy Scores by County/Municipality & Year

COUNTY	2017	2019	2021	2023	MUNICIPALITY	2017	2019	2021	2023
Los Angeles County, CA	4	4	10	5	Pasadena, CA	5	5	6	6
San Francisco County, CA*	20	21	21	24	San Francisco, CA*	20	21	21	24
Denver County, CO*	0	2	6	7	Denver, CO*	0	2	6	7
Miami-Dade County, FL	3	3	3	3	Miami Beach, FL	0	3	3	3
Cook County, IL	9	9	9	9	Chicago, IL	9	9	16	17
Lexington-Fayette, KY	3	3	3	3	Lexington, KY	3	3	3	3
Ramsey County, MN	0	0	0	0	St. Paul, MN	5	7	10	10
St. Louis County, MO	0	0	0	0	St. Louis, MO	7	8	9	9
King County, WA	0	0	0	0	Seattle, WA	19	19	20	23
Racine County, WI	0	0	0	0	Racine, WI	0	0	0	0
Mean (Standard Deviation)	3.9 (6.4)	4.2 (6.5)	5.2 (6.7)	5.1 (7.4)	Mean (Standard Deviation)	6.8 (7.4)	7.7 (7.1)	9.4 (7.3)	10.2 (8.4)

*indicates consolidated county and municipal government wherein policies are identical at both levels

Discussion

In this brief, we provide an overview of employment policies that local jurisdictions have passed to improve healthy work in the wake of federal inaction. We find broad adoption of minimum wage policies that go beyond federal policy in 90% of the municipalities and 50% of the counties in our sample. The second most common type of employment policies include those related to leave (e.g., sick leave and family leave) and collective bargaining. These policies are also more prevalent in municipalities than in the surrounding counties. Leave policies provide employees with more flexibility to take care of themselves and their families, while collective bargaining policies make it easier for employees to negotiate as a unit, often increasing pay and improving fringe benefits. Both policy forms could contribute to improving employees' quality of work and sense of job security. Finally, one county and three municipalities developed policies around scheduling stability, where employers must give employees two weeks' advance notice of their schedule or scheduling changes. Policies related to scheduling increase employees' ability to plan ahead, both in terms of time and budget, as they manage work-life boundaries.

Although some municipalities passed several employment policies, others had more difficulty gaining traction. One possible reason for this could have been the level of political alignment across state, county, and municipal governments as well as the practice of preemption. Preemption occurs when a higher level of government restricts or withdraws the authority of a lower level of government to act on a particular issue.⁸ There were examples of initiatives in St. Louis, Missouri and Miami Beach, Florida that were proposed

but were preempted by state law before they could take effect.⁹ Importantly, some jurisdictions evaluated here (i.e., Denver and San Francisco) are consolidated, thus their policies are identical at the county and municipal level. In addition, some municipalities are significantly more active than their county counterparts (i.e., Seattle versus King County). Policies at both levels of government should be enacted to optimally impact individuals working in those areas. Finally, some policies noted here, including minimum wage itself, apply only to businesses with a certain number of employees. Therefore, potential loopholes must be considered when thinking through any impacts for workers in small businesses.

It is worth noting that this policy search yielded relatively few types of employment policies—mostly those focused on tangible resources (wages, leave, or schedule stability). In contrast, the management literature highlights policy recommendations that incorporate 'softer' policies, including labor relations, leadership support, training and development, and justice and fairness.¹⁰ When policymakers fail to regulate employment policies, decisions are left to employers, who weigh decisions about their employees' health against business metrics. In this situation, employers often choose to pay workers a lower wage and the responsibility for employee health may be partially shifted onto taxpayers through public benefit programs (e.g. Medicaid, or SNAP).¹¹ Instead, a strong municipal or county policy baseline establishes a standard that all employers must meet for their employees.

Conclusions

Employment has been described as a social determinant of health, impacting not only a person's income and social status, but also the places they can afford to live and the control they have over their time. More work is needed to understand the implications of novel employment policies on social determinants of health, including food insecurity, housing, and other downstream effects of quality employment.

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FUNDING ACKNOWLEDGMENT

This brief was supported by a UIC School of Public Health Seed Grant, with funding from the Policy, Practice and Prevention Research Center (P3RC).

SUGGESTED CITATION

Piekarz-Porter E, Stiehl E, Mincu N, Oddo VM, Powers ET, Kim SJ. A closer look at novel U.S. employment policies at the county and municipal level. Brief No. 137. Policy, Practice and Prevention Research Center, University of Illinois Chicago. Chicago, IL. October 2024. doi: [10.25417/uic.26608288](https://doi.org/10.25417/uic.26608288) <https://p3rc.uic.edu/>

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